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HISTORY OF SCOTLAND

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THE

HISTORY OF SCOTLAND

FROM AGRICOLA'S INVASION TO THE
EXTINCTION OF THE LAST
JACOBITE INSURRECTION

BY

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CHAPTER LXV.

JAMES VI.

RETROSPECT ON THE POSITION OF THE MEMBERS OF THE CHURCH OF ROME—CONTINUED VITALITY UNDER PRESSURE—REASONS IN ITS EXISTENCE AS A DEPARTMENT OF THE EMPIRE—TENACITY OF THE CIVIL DEPARTMENT NATURALLY EXTENDED TO THE ECCLESIASTICAL—SECONDARY MOTIVES FOR THE PROSELYTISING ZEAL OF THE PRIESTHOOD—THE DEVOTIONAL LITERATURE OF THE ROMANISTS IN SCOTLAND—JOHN HAMILTON—JOHN HAY—THE CATECHISM OF CANISIUS—A NEW CLASS OF CONTROVERSIALISTS CONTRASTED WITH THE OLDER CLASS—ARCHIBALD HAMILTON AND NICOL BURNE—RESOLUTION TO MAKE A MARTYR—THE EXECUTION OF OGILVIE—EFFECTS ON SCOTLAND OF THE STRENGTH OF THE GOVERNMENT THROUGH THE ACCESSION—STATE OF THE COUNTRY AT THE PERIOD—THE BORDERS—THE HIGHLANDS—PREDATORY PROPENSITIES OF THE HIGHLANDERS—THEIR MIGRATIONS INTO ULSTER—ATTEMPT TO "PLANT" THE HIGHLANDS—REVOLUTION IN THE INTERIOR CONDITION.

We are now at a period when for half a century the ecclesiastical history of Scotland has ostensibly been a contest between the two prevalent forms of Protestantism for supremacy. Since the tragedies of Queen Mary's reign, the old Church has had no place beside them as an institution able to wield any efficient power acknowledged

by the State. We have seen, however, that it still existed and in a shape to make itself an object of fear. To tell what he can of the nature of that existence becomes part of the Historian's duty, and has perhaps all the stronger call on his attention that it is not easily rescued from the obscurity under which it has been buried by the conditions of the period.

Efforts thorough and vigorous were made to expel or crush Popery; but still it remained, lifting itself up in unexpected places, and frightening zealous Protestants, who felt like a settler in the wilderness when he believes that he has extirpated his venomous neighbours, yet beholds a viper gliding through the grass where his children are at play. This tenacity of life was attributed to the doing of Satan, who had found this method for harassing and frightening the Lord's people. On the other hand, it was held as a testimony that St Peter's chair was founded upon the Rock of Ages, and that the gates of hell were not to prevail against it. But any one not ambitious of reaching ultimate conclusions like these, may find an obvious secondary cause for the tenacious vitality of the old Church.

It was a department, and perhaps the most complete and powerful department, in that great Empire which had for so many hundred years concentrated to itself all the institutions by which civilised men were ruled. When we see how the secular institutions of the Empire have lived among us, there can be no wonder that the ecclesiastical side of the Empire had strong elements of life. Municipal institutions, Diplomacy, and the daily law of Europe, except England, were bequests of this Empire. England is even now dropping its clumsy protest against the Justinian jurisprudence, by seeking to make one combined system out of Common law and Equity. Even the fantastic science of heraldry has lived through the attacks of two powerful enemies—ridicule and taxation—and that because it was rooted in the institutions of the Empire as an organisation for fixing the relative rank of every armiger from the emperor to the squire. Had the Romans been a recording people like the Normans, we

would all have heard and known more of these things; but their presence is sensibly felt by those who study the middle ages, not in the histories of these ages, but in the sources of their history.

The civil or secular side of the Empire had been repeatedly shaken, while the ecclesiastical flourished in peace and prosperity. It was unshaken till the Reformation came, and this carried off its own separate portion, leaving the remainder only the more vigilant and cautious, as the result of the struggle. Among Protestants or seceders from Rome before Luther's day, there might have been isolated bodies from time to time in the secluded valleys of the Alps, or the equally inaccessible marshes of Holland; but they had not the apparatus of combination or central action. The countless "heresies," according to the annals of the Popedom, springing up from time to time and disappearing, are the testimonies to so many isolated attempts at religious emancipation quietly smothered by the great organisation against which they struggled. But even after the establishment of the Reformation, the adherent of the old Church in any part of Europe, from Norway to the Black Sea and the Mediterranean, however much he might seem isolated by Protestantism, could reach the great corporation whose central rule was in the heart of Europe. If there came a blank, a broken link, in the hierarchical organisation by which the adherents of the faith were kept together and served, there were those in reserve who could immediately fill it. With great patience, skill, and capacity for working in secret, the missionaries—Jesuits or "trafficking priests"—thus kept their hierarchy alive through all dangers and difficulties.

The practical zeal of the Romish priesthood in the acquisition of proselytes is admitted even among Protestants to be more ardent than that of their own ministry; but for this too we may find a motive cause among sublunary human influences, without accepting the conclusion, that the excess in the balance of zeal is due to a more pure and thorough belief in the truth of the faith which the missionary professes. The clergy of the old Church and those of the Reformation do not hold the same posi-

tion towards their flocks. The priest assumes dominion over his convert; the Protestant minister professes to release him from the bonds of priestcraft. True, he may have a leaven in himself of what he condemns in the other, and we have seen in the annals of religious life in Scotland as much of that spirit of clerical dictation, sometimes called "the popery of Protestantism," as perhaps the history of any other Protestant country is likely to supply. But it never could be in Protestantism as in the Popedom, that a great hierarchy, spread over Europe, and closely combined for unity of action, should assert complete command over thought and opinion, demanding authority over the education of youth, and the diffusion of knowledge among men. Hence the acquisition of a proselyte was not the same triumph to both classes of clergy. To the priest of the old Church it was not only the bringing over of a fellow-creature to his own opinion of the truth as he held it: it was a material personal conquest, followed by subjection to his authority.

The adherents of the old Church had of course their peculiar devotional literature. Old books of devotion are, as collectors know, peculiarly rare, from their liability to be thumbed out of existence. But the books of a prevalent Church had chances of life denied to those of a repressed community. A breviary or missal was a dangerous possession, and such books found no place of refuge in public institutions or the libraries of miscellaneous collectors. Since the Reformation the printing of Popish literature had not been tolerated, and no such books appeared as the produce of the native press after the catechism known as Hamilton's and the "Twopenny Faith."[1] The separate breviarian "Uses"—such as that of Salisbury for England, and the Aberdeen breviary for Scotland—were superseded by the Breviary and other standards issued by the Council of Trent. Of these no separate edition was required for Scotland, and those who ventured to possess copies of them would seek them abroad.

[1] See chapter xxxvii.

But it was part of the policy of the Church of Rome to fight its battles in popular vernacular literature. We have seen how the Church of the Reformation in Germany expressed its devotion in vocal praise through vernacular songs and hymns. The old Church competed for popularity in the same form; and which had the better of the competition in the literary or æsthetic sense, is matter of open criticism.[1]

Ninian Winzet, Quentin Kennedy the Abbot of Crossraguel, and John Tyrie, known as "Tyrie the Jesuit," obtained somewhat of a historic notoriety as men who had measured swords with John Knox. The great battle over, and the parties to it holding the relation of conquerors and conquered, the voice of this latter ceased to be so loud as to have a share in history. It can only be traced in a few books of extreme rarity.

John Hay, a Jesuit father, of the family of Dalgetty, in Aberdeenshire, put a bundle of questions, two hundred and five in number, to the clergy of the new religion, beginning with one often put in the great controversy—Did the Protestants believe that all their ancestors who died before the reformation of religion were assuredly damned to all eternity, or did they not?[2]

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[1] Among the oldest of the Romish vernacular hymn-books appears to be 'Ein neu Gesangbüchlin geystlicher Lieder, vor alle gutthe Christen nach Ordennung Christlicher Kirchen. Leipzich, 1537.' Reprinted, Hanover, 1853. One might read a considerable portion of this collection without noting the marks which appropriate it to a school opposite from that of the Lutheran hymns.

[2] In the German 'Zu ewigen Zeiten verdampt seyn, oder nicht.' I have not been able to trace a copy of an edition of this book in the Scots vernacular. That there ever was one is only known from the title of the French translation: 'Demandes Faictes aux Ministres d'Escosse touchant la Religion Chrestienne, par M. Jean Hay d'Escosse, de la Compagnie de Jésus, Professeur en Théologie, et Doyen des Arts, en l'Université de Tornon, Revenues et de l'Ecossois mises en Langue Francois. 1595.' The only copy of this translation known to me is in the Advocates' Library. In a small bookshop in Berlin I happened to find a contemporary German translation: 'Fragstuck des Christlichen Glaubens, an die nieuwe Scotisch Predigkandten, erstlich durch den hochgelehrten H. Johann Hayum auss Schotten der Societat Jesu Theologum Franzosisch

John Hamilton, a secular priest, has already been referred to as a renowned assassin. But he had that subtle gift, the empire over language; and the words came to him at his bidding,—words expressive of Christian meekness, humility, charity, and all that might seem appropriate rather to the secluded anchorite, than to the man of storm and strife—the unscrupulous champion of the Catholic league.[1]

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beschriben, demnach duch Sebastian Werzo Pfurz Pfurzherzn zu Freyburg in das Teutsch gebracht. Freybourg, 1585.' As the French title-page carries a later date, there must have been at least two translations or editions in French.

[1] It is a strange transition to pass from that wild scene in the French histories where Hamilton hangs the jurist Barnabé Brissot in the Hôtel de Ville, to his little book of prayers and meditations, and to suppose him ruminating on such passages as this, when he returned from his work: "Ane Evening Prayer."—"I render most humble thanks to your divine majesty, most gracious God, wha of your free mercy has conservit me in health and prosperity this day, and preserved me from all danger of body and soul, and brought me to the soft repose of this night, to refresh my tired body and recreate my weary spirit after the day's pains and travails of my lawful vocation. Forgive me, Father of all pity, all my sins and negligences I have committed this day, either by thought, word, or deed. Receive me to your mercy, and grant that I may rest this night in peace and security under the favourable wings of your mighty protection. Defend me against all the ambushments, incursions, and invasions of all my enemies, visibles and invisibles. Preserve me from all dangers of body and soul; be unto me ane God, ane protector, and ane strong tower to save and defend me against all external forces; for ye are my rock and defence—ye are my refuge and fortress against all my enemies." "Grant to me, most merciful Father, the peace and tranquillity of this night's rest, that at my joyful wakening I may render to you humble thanks for my soft repose, and rise the morne with a joyful heart, to travail in my lawful vocation, and magnify your haly name, to merit after this life to repose in you eternally, through Jesus Christ our Lord, wha lives and reigns with you in unity with the Haly Spirit, for ever and ever."

These fragments of prayers are taken from "A facile Treatise, contenand, first, Ane infalible Reul to discerne Treu from False Religion; nixt, A Declaration of the Nature, Numbre, Verteu, and Effects of the Sacraments: togidder with certain Prayers of Devotion. Louvain, 1600.' The contents of this volume are heterogeneous. Among them are expositions of mistranslations in the Geneva version of the Bible which can only be estimated by Biblical and Oriental scholars. This part of the book is wound up by a curious

For the chief book of devotion in use among the adherents of the old Church in Scotland, we must look to a foreign authorship. Peter van Hondt, a native of Nimeguen, was the first Provincial of the Jesuits for the Teutonic or German nations; and among the illustrious names of the order, his stood next to that of Ignatius Loyola himself, as the missionary who carried the new organisation into northern Europe. His name, translated from Walloon into English, would mean "of the dog," or doggish. Hence, in the whimsical method of the period, he took in his books and public life the Latinised name of Canisius. By this he was known in his day, and is still known over all the communities adhering to the Church of Rome as the author of the Larger and Smaller Catechisms of Canisius.[1]

In 1588 there was printed in Paris a translation of the Smaller Catechism by Peter King, a Scotsman, and a native of Edinburgh. It has an ample calendar, and tables for calculating the time of high water at the various ports of Scotland as far as Orkney. From these and other adjuncts, showing that the volume was adapted to practical life—to serve as an almanac as well as a book of devotion—we may believe that it was the indispensable devotional manual of those adherents of the old Church in Scotland who were not rich enough or learned enough to use the Breviary.

In the Popish literature of Scotland some quarter of a century after the Reformation a new feature becomes visible. Before the year 1580 the new Church had lived long enough to send over proselytes to the old. The clerical

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admonition as appropriate to the partiality of the Scots to the Geneva Bible: "Therefore, I beseek you, dissaivet people, to burn your corrupt Scots Bible in the fire, that your sauls be not tormentit with the intolerable pains of the fires of hell. This was the only cause why our Catholic bishops forbade the reading of the English Bible, that the corruptions thereof should not infect their sauls to that eternal perdition."

[1] In the Dictionnaire Historique of the Abbé de Feller—the best biographical and bibliographical work of reference as to Romanist ecclesiastics—it is said, "Il y a peu de livres qui aient été si souvent imprimés, et traduits en tant de langues différentes."

convert is not always a valuable bargain. Full of the impatient zeal peculiar to his position, he was especially disqualified for service in a clerical army trained to pursue with skill and patience a subtle tactic bequeathed through centuries of tradition. In the early stage of the dispute the acrimony had been chiefly on the Protestant side. Lack of zeal was at the beginning among the heaviest imputations against the clergy of the old Church. They had, in fact, in many instances, no greater amount of that quality than was needed to induce its owner to accept of a rich benefice burdened with a few restrictive conditions. No doubt the priests, who showed the better temper, would have handed over the heretics to the civil power to be burned; but this would not have been from personal rancour, but the fulfilment of a great public policy, associated with the theory that the fire in this world neutralised the doom to eternal fiery torture in the next. Afterwards the bitterness went over from the other to their side, and was aggravated in the transition. Nothing was so injurious to the personal position and character of the Romish clergy in Scotland as the foul calumnies repeated by them against John Knox; and the earliest to trumpet these were two proselyte priests—Archibald Hamilton and Nicol Burne.[1]

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[1] Hamilton was the author of 'Dialogus de Confusione Sectæ Calvinianæ apud Scotica Ecclesiæ Nomen ridicule usurpantis, Paris, 1577,' and of an Answer to an opponent, printed in 1581. Dr M'Crie says Hamilton "left Scotland, and, going to France, made a recantation of the Protestant religion. As an evidence of the sincerity of his conversion to Popery, he published 'De Confusione,' &c., a book which I have frequently referred to, and which strikingly exemplifies the adage, 'Omnis apostata osor acerrimus sui ordinis.'"—Works, i. 258.

Burne wrote in the vernacular, and his book, like the others of the same kind, is full of the odd misprints incidental to a foreign press. It is called 'The Dispvtation concerning the Controversit Headdis of Religion, haldin in the Realme of Scotland the zeir of God ane thousand fyue hundreth fourscoir zeiris, betuix the pretendit Ministeris of the deformed Kirk in Scotland and Nicol Burne, Professor of Philosophie in S. Leonardis College, in the Citie of Sanctandrois brocht vp from his tender eage in the peruersit sect of the Caluinistis and nou, be ane special grace of God, ane membre of the halie an

These casual features of the condition of the old Church connect themselves with a tragedy bringing scandal on the government. In 1615 a martyr was made of a Jesuit missionary. He had been caught in Glasgow

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Catholik Kirk. Dedicat to his Souerane the Kingis M. of Scotland, King Iames the Saxt.' He says of his personal history: "Concerning my auin persone, I vas brocht up from my tender eage in the doctrine of Caluine, quhilk of lait dayis hes bene recauit in the realme of Scotland be the preaching of Schir Ioann Kmnox, and did follou it vith na les affectione and zeal nor did the rest, quhil the tyme it pleased God throuch reiding of sum Catholik vryttaris to illuminat my hairt, and lat me planelie vnderstand that sik doctrine vas nocht that quhilk vas preachit be Christ and His apostlis, and hes euer bene mentened be al Christianis sen thair dayis, bot onlie ane collectit mass of auld and condemnit hæreseis, quhilk, quhen I vas thair present, I obleised me to defend, and proue befoir the General Assemblie of Scotland, declairing my self maist villing to suffer puneishment, vnles be the grace of God I performed that quhilk I had tane in hand. Askand of ane minister callit Smeton, in Paislay, that I micht haue frie access to thair General Assemblie to be conuenit in Edinburgh schortlie thaireftir; to the quhilk petition (as he him self can not deny) he could ansuere na thing bot that it vas maist iust, and promeist to me vpon his fayth and treuth that I should haue frie access thairto." He conducted his debate with a smaller audience than the Assembly, and complained that he was treacherously apprehended, and imprisoned in the Tolbooth of Edinburgh from the 15th of October 1580 till the end of the ensuing January. He gives the following account of his treatment there by his enemies, who, "being brint vith ane insatiabil thrist of my bluid, inuentit ane neu stratagem, proposing, by zour M. vil and intelligence, to haue hungred me to death, be debarring al access of freindis quha var villing to supplie my necessitie. And quhen extreme danger of famine constrainit me to hing ouer ane purse at the Tolbuith vindo, to craif almous for Christis saik, thay, persauing the reuth and compassion of godlie and cheritable people, quha bestouit thair almous on me maist liberalie, causit cut doun the purse. And althocht thay commandit the Iayvler to impesch my letteris of supplicatione, quhairin I micht haue requirit that quhilk vas conforme to æquitie, zit God sua mouit his hairt that he præsentit ane requeist of myne to the prouoste and honorable concile of Edinburgh for licence to beg almous, quhairbie I micht be sustenit: the quhilk albeit it vas grantit be the discretion of the prouoste and honorable concile, zit the ministeris obtenit ane discharge forbidding that I sould ask support in the name of ane schollar, or affix onie letter vpon the purse for signification of my indigence; bot nochtuithstanding al thair raige conceaued aganis me, and inuie quhilk thay bure aganis my fauoraris, cheritabil personis gaif me of thair almous maist largelie, for declaration of the erneast

with a few trifling articles in his possession, and it was shown that he had been busily endeavouring to propagate his faith. The case was referred to the king, whose instruction was, that "if nothing could be found but that he was a Jesuit, they should banish him the country, and inhibit him to return without licence under pain of death. But if it should appear that he had been a practiser for the stirring up of subjects to rebellion, or did maintain the Pope's transcendent power over kings, and refused to take the oath of allegiance, they should leave him to the course of law and justice." It is difficult to identify the tribunal which dealt with him. It was not the High Court of Justiciary, and appears to have been a mixed commission of prelates and laymen issuing from the Court of the Secret Council, and rendering its proceedings to that body. The method of procedure was the same that is so frequently condemned by protestants in the holy Court of the Inquisition. It dealt not merely with the sayings and actions that had been proved against the man, but endeavoured, with subtle and cruel labour, to extract the secrets of his heart. On the first application of this process he showed "nothing but a pertinacious refusal to answer in points most reasonable." His examiners having experience in the instance of other offenders, "that nothing helped more to find out the truth of the faults wherewith they were charged than the withholding of their natural rest, it was advised that he should be kept without sleep for some nights, which was accordingly done; and during which time it was perceived that he remitted much of his former obstinacy."

In the end, indeed, he became more explicit than his tormentors found to be desirable. The king had sent down a set of questions, probing to their minutest corner his opinions on the power of the Court of Rome over temporal sovereigns. In these the Jesuit saw before him

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desyre quhilk thay had of the extirpation of thair seditious hæresie, and the imbraceing of the treu Catholik religion agane, quhom I pray the Lord to recompanse quhen He sal distribut to al men according to thair doingis in this varld."

the chances of winning the crown of martyrdom. He won it, and wore it as manfully as any Protestant victim. "As to your Acts of Parliament," he said, "they were made by a number of partial men, and of matters not subject to their forum or judicatory, for which I will not give a rotten fig. And where I am said to be an enemy to the king's authority, I know not what authority he hath but what he received from his predecessors, who acknowledged the Pope of Rome his jurisdiction. If the king will be to me as his predecessors were to mine, I will obey and acknowledge him for my king; but if he do otherwise, and play the runagate from God, as he and you all do, I will not acknowledge him more than this old hat." On being harder pressed, he retaliated with a sharp touch to an assailable point on the other side: "I am accused for declining the king's authority, and will do it still in matters of religion; for with such matters he hath nothing to do. And this which I say the best of your ministers do maintain, and, if they be wise, will continue in the same mind."

It was amongst the king's instructions that distinct answers should be extracted from him on the two questions, Whether the Pope could excommunicate and depose the king? and, "Whether it be no murther to slay his majesty, being so excommunicated and deposed by the Pope?" Archbishop Spottiswood tried to put this critical question so as to give opportunity for evading a rigid answer, but he failed. "But I hope," said the archbishop, "you will not make this a controversy of religion, whether the king, being deposed by the Pope, may be lawfully killed." To this he replied: "It is a question among the doctors of the Church. Many hold the affirmative not improbable; but as that point is not yet determined, so, if it shall be concluded, I will give my life in defence of it; and to call it unlawful I will not, though I should save my life in saying it." A jury returned a verdict of guilty against him, and he was immediately hanged.[1]

[1] Pitcairn, iii. 330 *et seq.*; Spottiswood, 522, 523. Spottiswood's

It is an established traditional practice with polemical controversialists, when it falls to their lot to get over such an event, to explain how the punishment was for a political offence, so that no odour of religious intolerance attaches to it. Such reasoning only darkens and perplexes history. That the institutions of the age and country permitted such a deed to be done, seem to be facts entirely sufficient to enable every man who reads of it to judge of it.

That the judicial record of the proceedings has been lost must be regretted with other like losses. It is fortunate, however, that in this age we have rescued a large portion of the judicial records of that age—a portion sufficient for checking and correcting an indolent tone of historical writing, which speaks of acts such as this as if they were the doing of the monarch and his executive government through the mere force of the royal prerogative. Scotland was essentially a constitutional government. The king's will had no doubt great weight, and acts of cruelty and injustice were perpetrated at his desire as well as through the personal influence of other powerful men. But we may be assured that, in form at least, what was done was the act of constituted tribunals. In this instance there was a verdict of a jury; and whatever character we may give to the act, we must remember that others were implicated in it besides the king and his immediate ministers.

If we may judge from the annals and correspondence of the day, and especially from the troubles of those to whom Popery was chiefly an object of dread and horror, Scotland never was so infested by prowling Jesuits and traffickers as after this event. There were, in fact, in the old Church, many ardent spirits seeking martyrdom; and the rumour had gone forth that Scotland was a country in which that could be found.

And looking towards mere Protestant politics, it is easy to see that the martyrdom of the Jesuits was a sheer waste

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account of the matter is the more instructive that he was one of the judges on the commission.

of cruelty. It would have done far more to appease the High Presbyterian party had Ogilvie and a group of his brethren been teased with minor persecutions on purely theological grounds. This poor creature brought on his fate, not by perpetrating the idolatry of the mass, but by abjuring the idolatry of the king. The historical organ of that party passes the event with these arid and thankless remarks: "Some interpreted this execution to have proceeded rather of a care to bless the king's government than of ane sincere hatred to the Popish religion. Some deemed that it was done to be a terror to the sincerer sort of the ministers not to decline the king's authority in any cause whatever. He was the first priest or Jesuit who was executed since the bastard Bishop of St Andrews was hanged."[1]

In fact a slight act of leniency, awarded in a questionable shape soon afterwards, more than neutralised this act of severity against a devotee of the old faith. The Popish lords, after their reconciliation to the Church, became little less troublesome to its zealous members than they had been before. Huntly especially was believed to harbour refugees and missionaries, and to be at his leisure conducting all manner of dangerous intrigues within those northern dominions, in which the Acts neither of the Church nor of the king were of much avail, and a seminary priest was safer from molestation than the ambassadors empowered to give effect to the decrees of the Church. At length, in 1616, he was again laid under excommunication. This was ever a serious position to hold, because it gave the State legal power over the person and property of him who was under the Church's curse; and however the head of the State smiled on him for the time, the victim could not insure himself against the mutability of courts. In the midst of a harassing succession of negotiations for the removal of the excommunication, news one day reached the zealots that it had become an empty sound; for the Archbishop of Canterbury had dissolved it, and granted absolution to the Marquess of Huntly.

[1] Calderwood, vii. 196.

The archbishop explained his reasons for the act, and his justification does credit to his powers of practical logic. By granting to the Marquess such remedy as those who laid on the excommunication could have granted, the English hierarchy acknowledged the excommunication to have been a legitimate act of "the Church." Had they considered it not to possess that quality, they would have simply disregarded it. And so, acknowledging it to be virtually their own act, had they not the power to grant a release from it on sufficient cause? No doubt, however, awkward difficulties might have arisen had any civil right come to depend on the question, whether the Scots excommunication existed or was dissolved. The new hierarchy took what was in a worldly sense the wisest course open to them by confirming or repeating the absolution.[1]

At this period, and before they felt the full weight of their enemy's hand, the zealous party were wounded, as it were, in the house of their friends. In 1616 a General Assembly was held at Aberdeen. There the clergy of the north naturally preponderated; and the small body who had been zealous enough to travel from the south side of the Tay, found themselves so few and feeble that they abandoned any effort at war. The bishop stepped into the moderator's chair and ruled the meeting; and "a number of lords and barons decored the Assembly with silks and satins, but without lawful commission to vote." Though it made no strong contemporary impression, this Assembly was afterwards often referred to, because a resolution passed by it for uniformity of discipline was said to be fulfilled when King Charles proclaimed his ecclesiastical canons; and the still more notorious Liturgy of 1637 was held to have been initiated in a resolution, "That a liturgy be made, and form of divine service, which shall be read in every church in common prayer, and before preaching, every Sabbath."[2]

To return to secular politics—it would be hard to find

[1] Original Letters (Bannatyne Club) 471 *et seq.*
[2] Calderwood vii. 222 *et seq.*

conditions more inimical to order, progress, and civilisation, than those endured by Scotland while King James reigned there, and before he reigned in England. Except for the few years of Morton's iron rule, it was the question of the Roman satirist, Who was to keep in order those charged with the ordering of the people? These could scarcely do worse than act on the model of their rulers. Through the State papers, the memoirs, and other documents revealing the internal condition of the country after the accession to the English throne, it is easy to perceive the gradual work of the regulating and consolidating influence of a strengthened executive. Sir Thomas Hamilton, Lord Binning, the founder of the noble house of Haddington, was a man of ability as a statesman and lawyer. He rose to the head of the law, and was a chief instrument in working out the improvement of the social condition of the country. His memory is connected with questionable stretches of the prerogative; and he was among the first to create a reasonable alarm that the new powers of the Crown would be dangerous to the liberty of the people. But whether in the right manner or not, he acted the part of a civilising and advancing statesman. That he had capacities of another kind—those of the orator powerful in condensation and description—is shown in the following social picture: "The Islanders oppressed the Highlandmen; the Highlanders tyrannised over their Lowland neighbours; the powerful and violent in the country domineered over the lives and goods of their weak neighbours; the Borderers triumphed in the impunity of their violences to the ports of Edinburgh; that treasons, murthers, burnings, thefts, reifs, heirships, hocking of oxen, breaking of mills, destroying of growing corns, and barbarities of all sorts, were exercised in all parts of the country—no place nor person being exempt or inviolable—Edinburgh being the ordinary place of butchery, revenge, and daily fights; the parish churches and churchyards being more frequented upon the Sunday for advantages of neighbourly malice and mischief nor for God's service; noblemen, barons, gentlemen, and people of all sorts, being slaughtered as it were in

public and uncontrollable hostilities; merchants robbed and left for dead in daylight, going to their markets and fairs of Montrose, Wigtown, and Berwick; ministers being dirked in Stirling, buried quick in Liddesdale, and murthered in Galloway; merchants of Edinburgh being waited in their passage to Leith to be made prisoners and ransomed."[1] Such—in a speech delivered in the Estates in the year 1616—was Scotland at the union of the crowns. The orator has to say further, that these, "and all other abominations, which, settled by inveterate custom and impunity, appeared to be of desperate remeid, had been so repressed, punished, and abolished by your majesty's care, power, and expenses, as no nation on earth could now compare with our prosperities, whereby we are bound to retribute to your majesty if it were the very half of our heart's blood."

Another observer speaks briefly but emphatically of "the deadly feuds, which so abound as no man can safely go a mile from his house."[2]

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[1] The Melros Papers, i. 273. One might suppose that at this, if at any time, occurred the incidents commemorated in an old song, full of Scots character :—

> "Was there e'er sic a parish, a parish, a parish—
> Was there e'er sic a parish as Little Dunkell:
> Where they sticket the minister, hanged the precentor,
> Dang down the steeple, and drank the bell?"

[2] Letters of John Colville, 188. This collection, printed for the Bannatyne Club, has been occasionally referred to; and the present is as good an opportunity as any other for a brief notice of the person who provided the bulk of its material. John Colville was one of those active fussy politicians who are ever at work, and yet not so effectively or influentially as to give a character to politics and hold a place in history. He exemplified the fable of the fly on the wheel supposing that it contributed to the motion of the vehicle. He was employed by the English statesmen to send them information of events and rumours in Scotland. His letters are very full of matter, all with a mysterious air of importance in it, but of little value. His rumours are more worthless than most of those which professed to communicate the shadow of coming events to strangers; and when we come to actual events, we know them without his telling. Perhaps there was value at the time in a sort of political encyclopædia prepared by him and an Englishman named Lock: it specified all the men of power and mark in Scotland, and, by a sort of genealogical horoscope

In the course of the preceding narrative, some of these characteristics have come forth incidentally. A separate record of slaughters and other acts of violence has little interest, unless each can be told with the sequence and minuteness of a novel, and for that there is no room in history. We have seen the violences and other atrocities perpetrated for political objects, and the following incident may be sufficient to show how far absolute lawlessness could be stretched for objects not political. Alexander Gibson of Durie, known to practical lawyers as a reporter of decisions, resided in Fife, the safest and most peaceable district of Scotland, being protected by one firth from the Highlanders and by another from the Borderers. He was strolling one day along the sea-beach near his own house, when he was seized and gagged by a party of Borderers, carried over the Forth to Leith, thence to Edinburgh, through Melrose to the Border, and across into England. He was detained eight days in the Castle of Harbottle, in absolute seclusion and ignorance of the part of the world in which he was. His family mourned for him as dead, and it was said that he found a successor in his office. He was not yet a Lord of Session, but he

of their connections and position, anticipated the course they were likely to pursue under given conditions. He did succeed on one occasion in obtaining notoriety by publishing 'The Palinod of John Colville, wherein he doth penitently recant his former proud offences, specially that treasonable Discourse lately made by him against the undoubted and undeniable title of his dread Sovereign Lord King James the Sixth unto the Crown of England after decease of her Majesty present. 1600.' Now no one could discover "that treasonable discourse lately made by him," about which he was so penitent; and it was believed that the confession was an invention to entrap more notice to his vindication of the right of succession than it might otherwise receive. David Laing, founding on comparative criticism, identifies in Colville the author of 'Historie and Life of James the Sext,' occasionally referred to in these pages as a book not invariably to be trusted. The same accurate antiquary thinks also that Colville wrote the declaration issued in their vindication by the actors in the Raid of Ruthven. Several contemporary writers charge him with treachery on the fall of his patron Bothwell, and especially with the capture of Bothwell's illegitimate brother, who was hanged in Edinburgh. He is a fair specimen of what evil times make out of unheroic natures united with easy consciences.

held some legal office; and the motive attributed to Christie's Will—the Borderer who thus spirited him off—was to obtain a legal decision of a kind to which the presence of Gibson of Durie in Edinburgh was deemed to be inimical.[1]

The turbulence abounding throughout the land culminated in two districts—the Borders and the Highlands. For more than forty years there had, with one brief interruption, been peace between England and Scotland, and it was a peace caused by conditions pointing to a final community of interests. As we have seen, the potentates on either side of the Border, no longer able to plead a national war policy for plundering expeditions, could not decently encourage them, and those who pursued them dropped from the rank of the plundering soldier into that of the robber or thief. Still the breed of Border rievers existed on both sides, and found occupation. Among these men, every turn of events in the direction of possible war raised exulting hopes, and such an event as the union of the crowns occasioned a corresponding depression.

On the Scots side, however, the rievers seem to have aggravated their activity down to the period of the accession, as if they felt like him who was going about with great wrath because he knew that his time was short. On the English side of the middle marches an account of the standing-over unredressed depredations on the Scots side was made up. It is an enormous inventory of cattle, sheep, and household furniture—a very tedious document; but its tediousness impresses one with the enormity of the plunder made, and excites wonder how, if the raids were pursued on such a scale during the long period when such work went on, there should have remained anything to be taken. Acts of violence and ferocity, too, usually accompany the transfer of goods—as, "Elsdon and Farnclouth, the chief town of Ridsdale, were burnt by five hundred of Lidsdale, and herried, and four men murdered in their house, a hundred beasts carried away, and in the pursuit thereof were a hundred men taken prisoners and seven

[1] Pitcairn, ii. 429; Chambers's Domestic Annals, i. 355.

slain, and sixty horse lost." And such scenes, it would appear, might have passed unnoticed at a distance, and unrecorded, but for the making up of the inventory.[1]

In the year 1608, Lord Dunfermline, the Chancellor, reports to the king, chiefly in reference to the services of the Earl of Dunbar: "He has had special care to repress, both in the in-country and on the Borders, the insolence of all the proud bangsters, oppressors, and Nimrods; but regard or respect to any of them has purged the Borders of all the chiefest malefactors, robbers, and brigands as were wont to reign and triumph there, as clean, and by as great wisdom and policy, as Hercules sometime is written to have purged Augeas, the King of Elide, his escuries; and by the cutting off by the sword of justice and your majesty's authority and laws, the Laird of Tynwell, Maxwell, sindry Douglases, Johnstones, Jardines, Armstrongs, Betisons, and such other *magni nominis luces*, in that broken parts, has rendered all these ways and passages betwixt your majesty's kingdom of Scotland and England as free and peaceable as is recorded Phœbus in auld times made free and open the ways to his own oracle in Delphos, and to his Pythic

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[1] 'A Booke of the Losses in the Middle Marches of England by the Scots Theefs;' Newcastle Reprints of Rare Tracts and Imprints of Ancient Manuscripts. Though the southern Scots and the Northumbrians were of old under one government, and retain strong marks of common origin, yet it was natural that while such things were, the English near the Borders should hate the Scots. Newcastle, the capital of the district, excluded them from the capacity to acquire municipal privileges: "The years of every such Scot, touching his apprenticeship, so taken, to be utterly void and of none effect; and likewise that no man or Scot born in Scotland shall be admitted to be made free by composition or agreement in the fellowship in any manner of wise." In the place where this is preserved it is said that after the accession "we trace many names of Scottish origin." Still the prejudice against the Scot lived for several years; and it is told how Henry Crawlington, a worthy glover of Newcastle, when he quarrelled with his brother freeman, Mungo Douglas, who was apprenticed in 1625, taxed him with "having run out of Scotland and denied his name to get the freedom of the town."—Relation of a Short Survey of Twenty-six Counties; Newcastle Reprints, 25, n.

plays and ceremonies by the destruction of Phorbas and his Phlegiens—all thieves, voleurs, bandstirs, and throat-cutters. These parts are now, I may assure your majesty, as lawful, as peaceable, and as quiet as any part in any civil kingdom in Christianity. All this is done quietly, suddenly, and in short space—but any harm, trouble, hazard, or grief to any good subject. All is done in your sacred majesty's name and authority—all by your princely commandment and instruction."[1]

Perhaps this golden age was not so absolutely pure and unalloyed as the obsequious courtier described it. In a document that might be an answer to his eulogy, we are told how "the little intermission of justice courts whilk hath been since his lordship's departure, and appearance of lenity, has made them so insolent that there is nothing whilk they dare not attempt. The dishonour of God His Word and ministry both practised; disobedience to your highness' laws no fault, for the Earl of Dunbar, they say, and his depute-commissioners will not intermeddle with any matters but only new thefts. He that can raise fire secretly and unknown shall not leave it undone. Wild incests, adulteries, convocation of the lieges, shooting and wearing of hacbuts, pistols, and lances, daily bloodsheds, oppression, and disobedience in civil matters, neither are nor has been punished."[2] Yet the two papers are not quite inconsistent. A great system may be broken; but its ministers are what it has made them, and their habits will break loose during relaxations of the restraint that is gradually binding them to order. At the end of the Thirty Years' War, then begun, there was much turbulence and ruffianism; but they were a trifle in the balance with the horrors of the war itself. Naturally it took a generation to cure the Borderers of their habits, however little opportunity was left for their practice on a great scale. There were ruffians there when the two great antiquaries Camden

[1] Letters and State Papers of the Reign of James VI., 172.
[2] Ibid., 179; document called "The Inhabitants of the late Borders of Scotland to King James the Sixth."

and Cotton were examining the Roman Wall—probably near the end of the first quarter of the seventeenth century. They feared to visit Busygap, on the English side of the Border, "for the rank robbers thereabouts."[1]

The condition of the Highlanders, and their relation to the other inhabitants of Scotland, was the largest social anomaly of the day, and was the object of the most comprehensive of the attempts to ameliorate social evils. The destiny of this peculiar people, as it has come up from time to time in the course of our narrative, is surely one of the strangest and most eventful in all history. We find them migrating over from Ireland to plant civilisation and religion among the barbarous people of the country to which they were to give a name. They are brought to ruin by the devastations of the northern marauders. The representative of their line of kings moves eastward and becomes the sovereign of Lowland Scotland, while the Scandinavian leaders endeavour to found a State of their own in the Lordship of the Isles. After a long contest, the Crown of Scotland asserts a supremacy; but it is enforced through the power of great territorial houses, whose heads are the real local kings. Coming from Ireland as Celts, there fell to be mixed with them some of the blood of the invading Scandinavians. It would appear that such mixture of a stronger element with the Celtic races tends to bring the strength and determination of the stronger to the aggravation of the wayward, turbulent, and mischievous propensities of the weaker, as in the English of the Pale, who were said to have become more Irish than the Irish themselves.

The longer such a people lived beside the busy progressive Lowlander, the more emphatic became the contrast between the two. There was an old element of similarity between the Highlander and the Borderer in this, that both of them indulged in theft. The Borderer, however, was by nature a utilitarian and a tradesman. He drove the beeves of the English because it was the most profitable business he could engage in; when the

[1] Bruce's Roman Wall, 178.

profession ceased to pay he dropped it. But it was the nature of the Highlanders to be idle, and feed on the produce of other men's labours. It was the necessities of this nature that withdrew them from the Lowland districts, as those whose nature it was to cultivate the ground pressed in on them. The physical geography of the Highlands shows features valuable in assisting the instincts of those who thus occupied the country. The mountains, especially in the south-west, rise steeply and abruptly from the plains. The surface of the interior seems to have formed successions of basins; and when the waters of these pressed for an outlet, they found it in breaking through the side of the basin and tumbling into the Lowlands. Hence it happens that the rockiest and most inaccessible parts of the Highlands are the gates opening on the Lowlands, familiarly known as Passes. The Highlanders, perched on the crags grouping round Loch Lomond, could look down on the Lennox farmers rearing the herds and flocks which they hoped to make their own.

The Borderers, as we have seen, had for some years reaped the most abundant harvests ever known to them, through the rapidly-succeeding convulsions of the country, when the Union brought a sudden check to their occupation. It could not change the nature of the men at once, and draft them into the ranks of the peaceful productive classes. The debateable land, and the other Border districts, continued, as we have seen, to have an evil reputation for a generation, and perhaps longer. But for a century after marauding had ceased there, large "creachs" of prey were driven by the Highlanders; and the practice was only suppressed by sheer force after the last Jacobite insurrection.

Thus interest as well as nature widened the severance between the two races. The Lowlander was industrious, turning all things surrounding him to such profitable account as they were available for. The land was then, of course, the chief source of wealth. Though impeded by cumbrous feudal conditions, he subjected it in some measure to the law of commerce, turning it to account as

tenant when he was not so fortunate as to deal with it as landlord. Possession in the ground was a condition which the Celt was too little of a man of business to realise; still less could he understand the arrangement by which one man was its owner, while another occupied and tilled it—and this is a peculiarity of the Celtic nature, such as, after having for centuries given trouble to the rest of the empire, has reserved a share for those who have to deal with such difficulties at the present day. The Lowlander, self-relying, gave as little effect as he could to the feudal restraints that bound him to a leader. The Highlander could not do without one. He naturally clung to any man whom nature placed in a position to command him; and if he could not find a strong-handed warrior to take the lead, he would follow a priest or a Presbyterian minister.

The law was so adjusted to this necessity in the Celt's character, that it was through his leader only that he received the law's protection and service. The clan that had not some chief, who was also in a secured social position as a man of rank or a gentleman, to be "cautioner" or surety for their conduct, was "a broken clan," liable to be hunted and killed. The chief robber clans—the cateran—were of this class, and continual bloodshed was a necessity of their existence. For ferocious acts, retaliated by a parallel ferocity, the MacGregors became conspicuous above all other tribes. Their territories were in that mountain district referred to as closely bordering the south-western Lowlands. The place that was at once their stronghold and their larder was Island Varnach, in Loch Katrine, now known to all the tourist tribe as Ellen's Isle. With a small navy of boats on the loch, and the ability to protect it from the encroachment of hostile vessels, they here found security for themselves and their plunder.[1]

[1] It is difficult, however, to believe in the number of animals detained at one time in this island, in terms of an indictment against those "assisting and taking part with the rebels and fugitives that took to the isle called Ilan Varnach, and taking into the said isle of eight score kine and oxen, eighteen score sheep and goats, stolen,

A well-known incident brought the ferocity of this tribe under immediate notice at Court. They had a feud with Drummond, the king's deer-keeper, and sought an occasion to kill him. They found it when Drummond was too near their haunts on a mission to lay in venison for the festivities attending the reception of King James on his return from Denmark. They cut off Drummond's head, and carrying that trophy with them, visited the slain man's sister at the house of her husband, Stewart of Ardvoirlich. It was said that, demanding hospitality, they were offended at the sordidness of the food offered to them—mere bread and cheese—and devised a playful method of exhibiting their feelings. Coming back into the room where they were, the woman saw her brother's bloody head, with the bread and cheese stuffed into its mouth. Even in that wild time such a sight went beyond the endurance of ordinary nerves, and the woman rushed out in a frenzy. The murderers carried their prize to the church of Balquhidder, and thither the men of the clan came at large, each laying his hand on the head, and solemnly vowing support to the doers of the deed.

The Government followed the usual policy of cheap retribution, by rousing the neighbours and natural enemies of the MacGregors to vengeance under the leadership of Argyle. But the MacGregors proved that they were not to be hunted with impunity. With the assistance of other broken clans, they marched in 1604 to Glenfruin, a half-Highland valley, and there fought something like a stricken field, to the defeat of their Lowland enemies with great slaughter. This of course deepened the ferocity of the retaliation. Like the wolf, a MacGregor caught in any kind of trap was his captor's fair game. It is told by an annalist of the day as not a wonderful thing, how Argyle trapped "the notorious thief and rebel Alaster MacGregor,

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reft, and away-taken from the inhabitants of the country about," "whilk were eaten and slain by them within the said island."—Pitcairn, iii. 232. The island must have been a mighty shambles, where animal flesh lay strewn in many conditions of offensiveness; and perhaps it was to the organic matter thus heaped on it that the island obtained the luxuriance of vegetation for which it is renowned.

Laird of Glenstrae." Argyle pretended that he only wanted to rid the country of him, and offered to send the robber across the Border with an escort to protect him against his enemies. The escort went with him a short way to England, and brought him back again "to Edinburgh, where he was hanged with many of his kindred."[1]

The practice of the Highlander living on plunder from the Lowlander had not achieved that extensive organisation of later times by which the cattle were conveyed into remote districts. Those seized in the south were thus exchanged for others seized in the north, so that the plundered farmers could not identify their own, and the remote districts of the Highlands partook in the booty as well as those bordering on the Lowlands. It is easy to see how these managed to live in the reign of King James; but for the inhabitants of the far-stretching West Highlands of Argyle, Inverness, and Ross, we must look for other sources of supply, and it is not easy to find them. In the days of the Vikings they were the border of that marine empire of marauders who lived a prosperous life on the sea, with their capital in Dublin. The numerous galleys sculptured on the old tombs in this district attest that those who sleep below were mighty sea-captains. If these mixed with the Celtic inhabitants, their common descendants degenerated from the old seamanship. The Highlanders have a distaste of the sea, and have been for centuries bad sailors. Through the long line of the western coast, indented with the finest natural harbours in the world, any shipping north of Greenock is a mere incidental trifle. The whalers, when the produce of their fishing was a larger and more important harvest than it now is, used to complete the complement of their crews from Peterhead, Orkney, and Shetland, but never from the Hebrides or the West Highlands.

There seems to have been throughout the reign of King James a resource for such spirit of enterprise as the Highlanders possessed in a quarter where one would not naturally seek for it—in Ireland. It would be useless to

[1] Balfour's Annals, i. 415.

attempt to discover the direct causes or the exact times of their migrations to Ulster. The Irish history of the period is signally indistinct and confused, and there was no more to fix attention on the progress of the migration than that people of kindred race sailed over narrow seas and mingled with each other.[1] So close was their intercourse that we hear of Highlanders summoned from Kintyre by signal-fires on the opposite coast of Ulster. The one distinct fact is, that the Highlanders gravitated to Ireland, and that the Irish no longer, as of old, gravitated to Scotland. In the Irish annals and State papers the new-comers are called "the Scots." It was no doubt their right name by ancient, but not in its contemporary, acceptation. They were Scots in the use of the obsolete term, just as the Irish themselves were. When they take a distinct place in Irish history, it is as a power, and that of a formidable kind, overawing the north of Ireland before the accession. They held some strong fortresses —among them the picturesque Castle of Dunluce and the island of Rathlin. In 1583 we find Sir Henry Sydney reporting to Walsingham how he had "interparlance by commissioners with the Scot Sorly Buy, who had defeated a company of the Earl of Essex's regiment, led by Captain John Norris." "He humbly desired to have again the island of Rathlin, which his ancestors had occupied 140 or 160 years before."[2] So early as 1559 it was an instruction to Essex, as lord lieutenant, "to endeavour to people Ulster with English, and to recover Lecale, Newry, and Carlingford from the Scots."[3]

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[1] Carew State Papers, 1586, p. 438.

[2] Carew State Papers, 351.

[3] Cox's History of Ireland, i. 313. Among these Scots settlers in Ulster there appears occasionally a lady whose existence is a genealogical mystery. James M'Connell and his brother, Sorly Buy, were taken prisoners by Shane O'Neil. James died of his wounds. "He had married the Lady Agnes Campbell, daughter of the fourth Earl of Argyle, and by her left six sons and a daughter, none of whom, however, inherited the Antrim property, which was usurped by their uncle, Sorly Buy."—Ulster Archæological Journal, vii. 253. Either before or after this marriage she was the wife of Turloch Lenoch O'Neil, a great chief of the tribe, second only to Shane himself. On

We find that at need the stranger could bring an army of six thousand fighting men into action. Following these into their adopted home gives occasion for a curious historical contrast. Whoever has followed this History so far will see that there is seldom a doubt as to the character and position of the two sides whenever a quarrel comes between inhabitants of Scotland. The opposing forces are distinctly drawn up, each within its own lines. But in Ireland all is confusion and chaos, every man's hand seeming to be against every other man's. Just one element in the confusion stands apart in its own distinctness —the compact army of Highlanders. They are there in the turmoil like a body of police in the midst of a Donnybrook Fair—their lines dressed, their purpose distinct, amid the surrounding turmoil; but all distinctness disappears if we endeavour to go beyond them, and separate from each other the factions on the heads of which their batons have been laid.

No attempt seems to have been made by diplomacy at the Court of Edinburgh to suppress the migration of the Highlanders to Ireland. On the other hand, they had

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1st March 1583, Sir Henry Sydney wrote to Walsingham about a visit in which Turloch had brought his wife with him :—

"And truly, sir, I found her a good counsellor to him—a well-willer to peace, and a reverent speaker of the queen's majesty. She would still persuade him to content himself to be a subject, and to contain him in all his actions like a loyal subject; alleging many examples of her own country of Scotland, where there was many as great potentates as he was, and her own brother or nephew, the Earl of Argyle (I wot not whether, but daughter she was to an Earl of Argyle), who challenged as much *jura regalia* and other sovereignties as he could, and yet contented themselves to submit their causes to the laws of the realm, and themselves to the king's pleasure. In truth, sir, she was a grave, wise, and well-spoken lady, both in Scotch, English, and French; and very well mannered."—Calendar, Carew MSS., 349, 350.

She was at one time in the hands of the great Shane himself, who was charged with brutalities against her incredible in any human creature but such as he. As he held the title of Earl of Tyrone, so she was called Countess of Tyrone. No one supplies her place in the ordinary genealogies of the house of Argyle. Her identity puzzles every genealogical antiquary I have mentioned the matter to, including the chief of all—the accomplished Lyon King at Arms.

no privilege of Scots nationality, and, as at the taking of Rathlin, they were put to death when that method of treatment suited the English policy. There seems, however, to have been a feeling that their presence was not altogether a calamity, and that they were an element in the Irish difficulties capable of some time or other serving a good purpose.

Throughout the State correspondence of the day there is ever a tone of respect for the strength and capacity of these Highland Scots, however troublesome their presence is sometimes found. In an estimate of the difficulties in Ireland in 1595, and of possible aid to the enemy from Spanish invaders or the Highlanders, it is said of these that "they are a valiant nation, able to endure the miseries of a war better than the Irish, and will be pleased with any entertainment, be it never so little."[1] And again, in a project for securing the services of three thousand of these Highlanders for the suppression of Tyrone's rebellion: "It would be to good purpose for the speedy achieving of this war, they being men fit for the service by reason of their hard breeding, and many other abilities above other nations."[2]

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[1] A Discourse of Ireland, by Sir George Carew, 128, 129.

[2] A Declaration by the Lord Deputy and Council, 1596, p. 197. This paper shows, in the curious nature of the purely Irish risks, to be avoided in the selection of the Highlanders for such a service, how close was the social intercourse between the two Celtic populations:—

"We are bold to note thus much to your lordships, gathered out of some of our experience touching the Scots—namely, that the M'Connels have had always friendship with the O'Neils, both by marriage, fostering, and bonnaught, and therefore not to be trusted to serve her majesty in this weighty service; where, on the contrary, the M'Ellanes are opposed unto the earl for sundry provocations, and especially for the hanging of Hugh Cayvoloughe, one of the sons of the late Shane O'Neil."—P. 197. Most of the persons here referred to are Scots Highlanders, but it would be a perilous task to attempt to identify them with any persons known in Scotland.

Again it is said of Domhnall or Donnell, the root of the Macdonnells, that he "left a son called Angus More, generally known as Angus of Islay and Kintyre. This chief's son Angus Oge, married Agnes O'Cahan, daughter of an Ulster lord whose territories lay west of the river Bann, in the present county of Londonderry. Their

Returning to the question how far from all sources the Highlanders were possessed of the material necessaries and comforts of life, the natural conclusion is, that according to the rule of progress in the rest of the population, they must have been in worse plight of old than they are now. But this is not a conclusion of universal acceptance. We are not accustomed to hear of either Ireland or the Highlands of the present day as a land of plenty. In both, however, popular literature speaks of abundance in old times; and it has been held that when the people lived unmolested under their old national institutions, it fared better with them than they have been under the ungenial control of the Saxon. All doctrines are entitled to a hearing; but this one leads to conclusions so unharmonious to all established belief in the blessed influences of peace and industry, that it will require support from a more consolidated supply of facts, than theorists about the Irish and the Highlanders are generally content with.[1]

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eldest son, John of Islay (or, as he was named among his kinsmen, Eoin na h-Ile), married, as his second wife, Margaret, daughter of Robert II., King of Scotland. The second son of this marriage was John Mor, who married Marjory Bisset, daughter of MacEoin Bisset, Lord of the Glyns of Antrim; and by her the seven *tueghs* or districts of the Glyns, together with the island of Rathlin, came originally into the family of the Macdonnells. John Mor and his Antrim bride dwelt in Scotland; but their son Donald, surnamed Ballach, or the Freckled, was compelled to seek an asylum in the Antrim glens."—Ulster Journal of Archæology, vii. 247, 248. This family of Bisset throws us far back into our History, to a tragedy that occurred in the twelfth century. It compelled the Bissets to leave Scotland, and vacating their Highland estates there, to be occupied by the Frasers of Lovat, we find them passing a parallel career among the Celts of Ireland.

[1] In 'The Ballads of Ireland, collected and edited by Edward Hayes,' there are repeated testimonies to this, as—

"A plenteous place is Ireland for hospitable cheer,
Where the wholesome fruit is bursting from the yellow-barbèd ear."

And—

"Large and profitable are the stacks upon the ground;
The butter and the cream do wonderfully abound."

In a "Vision of Connaught," in the thirteenth century, we have—

"I walked entranced
Through a land of morn;

When the facts are proved, the process of accounting for them will take the following shape. In a naturally industrious and enterprising population, war and confusion, no doubt, desolate the land, not only by bringing actual ruin on the produce of industry, but by cutting off the

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The sun, with wondrous excess of light,
Shone down and glanced
Over seas of corn,
And lustrous gardens a-left and right."

Nor is this all imagination; for there is testimony, in Ireland especially, of abundance of provender and profuse consumption among some, whatever privations might have been endured among others: "The annual revenue received by O'Doyne in 1608, from his vast territory, was but £2, 7s. in cash, 36 beeves, 432 crannocs of oats, 268 cakes of bread, 89 dishes of butter, 24 carnes, and 52 barins of malt and 12 barins of wheat, to which was added £3, 8s. for 'horse-boys' diet,' as a commutation instead of coigny or refection to his grooms, whenever he rode about to tenants' houses." When O'Neil returned from London in 1603, relieved of a difficulty for which he had to appear at Court, his people "turned out in troops to welcome him home, and gave their Tierna More all the honour and homage they could bestow, presenting him with store of beeves, colpaghs, sheep, hens, bonny-clabber, sruan, butter, greddan-meal strowans; with snush and bolean as much as they could get to regale him."—Montgomery MSS.; Ulster Journal of Archæology, iii. 121.

There is such testimony to the abundant consumption of wine in the Western Isles as would be at once rejected with derision, were it not the expression of laborious and vain efforts by the Government to restrain it. In 1616 the Secret Council issued an Act on the preamble that "the great and extraordinary excess in drinking of wine commonly used among the commons and tenants of the Isles, is not only an occasion of the beastly and barbarous cruelties and inhumanities that falls out among them to the displeasure of God and contempt of law and justice, but with that it draws numbers of them to miserable necessity and poverty, so that they are constrained, when they want of their own, to take from their neighbours." The remedy is that first and simplest always tried in such cases—absolute prohibition. The Council, however, had to go farther back, and put restraints on the importation of wine; and in justification of these they gave the following strange picture of the external symptoms of the passion for wine: "With the insatiable desire thereof the said inhabitants are so far possessed, that when there arrives any ship or other vessel there with wines, they spend both days and nights in their excess of drinking, and seldom do they leave their drinking so long as there is any of the wine retained; so that, being overcome with drink, there falls out many inconvenients among them." There is an odd exception to the restraints—that they are to be "without

industrious hands. But here the people are indolent, and content with the bounties supplied to them by nature. If their population increases beyond a balance with the natural supply of these bounties, they starve. Thus do we find, by logical conclusion, a race among whom war and murder have a wholesome social tendency; and it is added to the wrongs committed on the Celt that the law and order to which he has been reduced under the rule of the Saxon have driven him to starvation.

Of the social condition of any people the nature and nomenclature of those who bear influence or rule over them are significant elements. The titles of dignity given by the Celts both of Ireland and Scotland to their sove-

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prejudice always to any person within the Isles to brew aqua vitæ and other drink to serve their own houses." One would think this as likely to be productive of "inconvenients," and even "beastly and barbarous cruelties," as the wines of the Rhine and the Garonne; and so the Irish Parliament seems to have felt when uttering this preamble: "Forasmuch as aqua vitæ, a drink not profitable to be daily drunken and used, is now universally throughout this realm of Ireland made, and especially in the borders of the Irishry and for the furniture of Irishmen, and thereby much corn, grain, and other things are consumed, spent, and wasted." The remedy is simple prohibition—and there, of course, an end. On further dealing with the Isles, limitation was the policy. We have the rule stated in a quarter worthy of thorough reliance. The smaller chiefs, "such as Mackinnon in Skye, Maclane of Coll, and Maclean of Lochbuy, were restricted to one tun or four hogsheads each in the twelvemonth. Chiefs of a higher rank, such as the Captain of Clanranald, had three tuns or twelve hogsheads a-year. Potentates of still greater mark—Maclean of Duart, Macleod of Dunvegan, and Donald Gorme of Sleat—were permitted to have each of them four tuns or sixteen hogsheads yearly. Four Scottish tuns, I should explain, contain rather more than 876 imperial gallons. In other words, there were in 1616 at least three houses in the West Isles where the consumption of wine, under the jealous regimen of the Privy Council, amounted to 478 dozen every year. May I ask if there be one house now in all the Hebrides which uses so much?"—Paper by Joseph Robertson, Proceedings, Society of Antiquaries, Scotland, iii. 424.

Of this consumption of wine, as in other Highland practices, there was example teaching from Ireland. We hear of Shane O'Neil that "albeit he had most commonly two hundred tuns of wine in his cellar at Dundrun, and had his fill thereof, yet was he never satisfied till he had swallowed up marvellous great quantities of usqueba or aqua vitæ of that country."—Holingshed's Chron. of Ireland, 113.

reigns or leaders had a fine simplicity, like those of old Rome. The head of the house of Argyle was MacCallum Mohr. Lord Lovat was MacShimei. The ruler over the great island-sept of MacLeods was simply "MacLeod." The best-accepted representative of the ancient Irish dynasties of the Hy Nyal, when Earl of Tyrone, had a higher title in the simple designation of O'Neil. All this was in strong contrast with the Royal Highnesses, Serene Highnesses, Right Well-born, Right Honourable, and the like, brought into the nomenclature of the Empire after it fell into the hands of the Germans. It was a contrast, too, at variance with the usual notions of the Celtic character, as being showy and boastful.

This character profusely adorns the genealogies of the great houses. When those who come to Britain directly or indirectly from the Scandinavian north—Danes, Normans, and their brethren—first cross our path, they are new men—men with no pedigrees. But they built their houses on a foundation, to provide secure pedigrees for their descendants. These are the only men whose hereditary descent belongs to record. To have "come in with the Conqueror" is the boast of our noblest houses; and perhaps there are no other families in the world that can look with the same clearness so far back. But the Celt seems ever to have had a curious horror of anything about himself or his affairs being committed to the sure testimony of writing or record. We have seen the Highland antipathy to "the sheepskin title" which established a holding by feudal tenure of the Crown. The titles to their lands, which in more recent times committed Celtic pedigrees to writing, are inimical to their traditionary claims, by sometimes drawing the real descent into a different groove. It is not to be inferred from this that the Celtic people of Ireland and the Highlands were averse to pedigrees. These, such as they were, abounded. Whenever, in their countless fluctuations, any man rose to considerable power, he was surrounded by a court or staff of sennachies—the bards and historians of his race. It was their duty to maintain his descent to be ancient and illustrious, just as it is the duty of the officers of a government

to support its policy. These were distinguished men in their proper place; but when the breaking of the clan or any other casualty drove them forth from the protection of a chief, they got small respect from the Lowland laws. Parliament made provision for them in a law brief and distinct, that bards and suchlike runners-about be put in the king's prisons, or in irons, to be so kept while they have means of their own; and if "they have naught to live upon, that their ears be nailed to the trone, or to ane other tree, and their ears cutted off, and banished the country; and if thereafter they be founden again, that they be hanged."[1]

Sometimes the claims founded on these traditional genealogies got into record. In the great diplomatic collection known as the Fœdera there are frequent alliances or contracts between the Court of England and the Irish or Highland potentates, who take in the negotiations the titles of dignity conceded to them at home. These documents generally subsidise them to fight for the English policy in the subjugation of Scotland. In other instances, peerages or baronetages are conferred on them, and their dignities are acknowledged in the patent.[2] But these were mere casual acceptances of tradition, and could not

[1] Solecisms of various kinds are apt to arise out of the conflicts of custom between Highlander and Lowlander. The Highlander, for all his pride in his own race or clan, courteously admits the claims of any stranger bringing with him the attributes of wealth and position. If he hold no place in their own distinguished hierarchy, yet he may have a high one in his own. It was said of a late distinguished poet, that on a visit to a Highland family he was at first treated with much deference, until they discovered the art by which he had won renown. He was a poet—a mere sennachie; and he dropped in their eyes to the social position which the sennachie had occupied since—

"The bigots of the iron time
Had called his harmless art a crime."

[2] "The Macdonnells of Antrim represent one branch of a race that in former times supplied kings to Ireland and lords to the Isles and Highlands of Scotland. The fact is admitted in the letters-patent issued by James I. of England for the investiture of Randal Macdonnell with the dignity of a peer in 1617, and is asserted, indeed, as one principal reason for the distinction thus conferred."—Transactions of the Ulster Journal of Archæology, vii. 247.

make the pedigree otherwise than what it really was—traditional. But even had Celtic pedigrees been minutely recorded, the plan of conceding the succession, not to the representative pointed out by hereditary descent, but to the nearest relation or the strongest, introduced such elements of confusion that the most expert genealogist could not have made a family-tree out of such materials. But there was a further element of confusion. Neither in Ireland nor the Highlands had the clergy been able to enforce the distinction between marriage and concubinage, and consequently the distinction between legitimacy and illegitimacy. The son taking the succession might be one out of a mob by different mothers, all in the eye of English and Lowland laws illegitimate. We have seen that when the Lord of the Isles was brought within the pale of civilisation by a peerage, the patent was taken to his illegitimate offspring. The great families, therefore, were something like the Roman *gentes*—a group related to each other, and traditionally believed to have their roots deep in unknown antiquity.

Some conditions of a broader character curiously but mysteriously connected Ireland and the Highlands. In the seventh century a great battle was fought at Moyra.[1] It was to the Irish what Bannockburn was to the Scots. Donald Brec, the head of the kingdom created by the Irish migrators into Scotland, had gone with a mixed army of English and Scots to conquer for himself the throne of Ulster, or of all Ireland as tradition reported his claims. He was defeated by King Domnal, who thus saved his country from slavery.[2]

From dim reminiscences of this contest, or other causes,

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[1] See chapter ix.

[2] The great epic commemorating the battle is very interesting, as translated in "The Banquet of Dun na n-gedth and the Battle of Magh Rath [viz., Moyra], an ancient Historical Tale," printed by the Irish Archæological Society. Surely the translator vindicates his own personal nationality in saying, "Mr Moore, the latest author of the history of Ireland, does not condescend so much as to name the monarch, or to notice the battle. His defence is as follows." &c. —Introductory Remarks, xxii.

there seems to have lingered an impression that whoever was the chief ruler of the Western Highlands had a claim to be king also in Ireland. The genealogical confusion already referred to gave ample room for any such assertion. The great Shane O'Neil in Queen Elizabeth's day nearly completed the creation of a kingdom in Ulster. When he made the visit to the Court of England so picturesquely described by Camden, it was as an equal, not a vassal. When twitted with submission to the Saxon, he gave the haughty answer, "I never made peace with the queen but at her own seeking."[1] He held his powerful position as the acknowledged representative of the Hy Nyal—that royal race which comes into distinct light during the Augustan age of Columba and Adamnan, but sinks into obscurity as Ireland lapses from civilisation. But there were several Highland houses with pretensions as well founded, or rather as well acknowledged; for the whole foundation of these pedigrees was contemporary belief, and any member of these houses becoming as powerful as Shane, would have been as near to a throne.[2]

To bring Ireland and the Highlands to conformity with the rest of the empire—whether by displacing the Celt or socially regenerating him—was naturally one of the chief missions of the consolidated powers following on the union of the crowns. Before the Union—in 1597—a requisition was made by Parliament of a kind very unpalatable to the Highland potentates. They were required to produce their written titles. "All landlords, chieftains, and leaders of clans, principal householders,

[1] Ulster Archæological Journal, iii. 45.

[2] "Colla, termed 'Huaish,' or the Noble, was the twenty-ninth King of Ireland in a direct line from Heremon. Twenty-four generations from Colla, was Sanhaish or Sorley, Thane of Argyle, whose grandson, Domhnall or Donnell, was the chief from whom the Macdonnells, in all their family ramifications, derive their surname. Besides the Antrim family, there are many branches of Domhnall's descendants in Scotland; among whom may be principally mentioned the Macdonnells of Glengarry, the Macdonnells of Moidart, the Macdonnells of Morar, the Macdonnells of Keppoch, the Macdonnells of Sleat, the Macdonnells of Glencoe, and the Macdonnells of Loupe." —Translations of the Ulster Journal of Archæology, vii. 247, 248.

heritors, and others, possessors or pretending right to any lands," were to assemble at Edinburgh, and there produce "all their infeftments, writs, and titles whatsomever," on which they claimed possession. The reason given for the command was not complimentary to those required to obey. It is because they have, "through their barbarous inhumanity, made and presently makes the said Heelands and Isles—whilk are most commodious in themselves, as well by the fertility of the ground as by rich fishings by sea—altogether unprofitable both to themselves and to all others his highness' lieges within this realm; they neither entertained any civil or honest society amongst themselves, neither yet admitting others his highness' lieges to traffic within their bounds with safety of their lives and goods."[1] Another statute authorised the creation of three municipal corporations in the Highlands. Any internal amelioration in the direction of these statutes came some years afterwards, when the power of the Crown was enlarged by the Union. The three municipalities are believed to be now represented by Campbelltown, Fort William, and Stornoway.

These were the preliminary steps to the "plantation" of the Isles. This word has a peaceful and gentle sound, like the soothing shape in which the discreet surgeon announces that he has to perform some painful and critical amputation. In its full meaning, it was the removal of the race in possession of the soil, and the planting of another. Whether driven forth as wanderers elsewhere, or put to death in their old homes, the first step in the process was one of sheer cruelty to the natives. In the usual authorities we are told that "Ulster, from being the most wild and disorderly province in Ireland, became in time the most cultivated and most civilised;" but the balance between infliction and beneficence in the operation has to be struck from data broader than those allowed in such an estimate. As in the Highlands the disease was not so desperate, the operation was less cruel.

There was but a meagre response to the call for titles

[1] Acts, iv. 138.

—they did not exist; and the chiefs who held their lands by the sword and the allegiance of their people, were loath to go to the king's Chancery for "sheepskins." A large tract of country, including the whole of the island of the Lewis, was thus forfeited. The Crown professed to put these districts at the disposal of certain Lowland adventurers. They were men of rank, with the Duke of Lennox at their head. They were to hold the lands rent-free for seven years, and afterwards to pay a modified rent or tax to the Crown. They began to fulfil the object of the adventure by introducing a few Lowland cultivators of the soil; but these, after the usual harassments attending an unsuccessful colonisation, returned to their Lowland homes, tired and disappointed, in the year 1609.

After this abortive attempt, instead of "planting" according to the Ulster plan, the Government fell back on the old policy of strengthening the great houses which had one foot in the Highlands and the other in the Lowlands, and helping them to aggrandise themselves by the process called in Germany mediatising—the process through which Prussia became one of the great Powers. Huntly had a commission against Keppoch in the north. The Campbells, of course, took in hand the south. This house was waxing so powerful that its own greatness might be a danger to be weighed against Highland lawlessness and independence. But between the northern and the southern potentate a third was found in the Mackenzies of Kintail, afterwards the Earls of Seaforth. Then the Campbells had spread so far that they were divided into three houses, and one might weigh against the others. Besides Argyle reigning in the districts round Loch Fyne, there was Breadalbane with his castle in Loch Awe, and farther north the house of Calder, in Morayland. It was on this last that the Government chiefly relied in the present emergency.

There was a war crowded with incidents, of which a characteristic morsel has been already given in the adventures of the warlike Bishop of the Isles. When the revolution was accomplished, the Highland territories of the Campbells were increased by the acquisition of Kin-

tyre, Islay, Jura, and other smaller items.[1] The Government was but slightly taxed in aid of the aggrandising powers. Four hundred of the Highlanders, trained in the Irish wars, were added to the natural following of the invaders. The bishop did not give his entire approval to the policy he was employed to enforce, having a preference for "plantation." His views are instructive on the spirit in which the statesmen of the day looked on the Celts both of the Highlands and Islands: "All the trouble that is done to me and my friends is because of Archibald Campbell's diligence to procure the isle of Islay for the Laird of Calder, of which they are certainly informed. The which if it take effect will breed great trouble in the Isles—far more nor all the fine and duty of the Isles of Scotland will afford these many years, and in the mean time be the wreck of my friends. Neither can I, or any man who knows the state of that country, think it good or profitable to his majesty or this country to make that name greater in the Isles nor they are already, nor yet to rout out one pestiferous clan and plant in one little better, seeing his majesty has good occasion now, with little expenses, to make a new plantation of honest men in that island, answerable to that of Ulster in Ireland lying upon the next shore, with the which Islay hath daily commerce."[2]

The Highland revolution was not completed until the year 1616. It was by no means the entire regeneration that would have come out of an effective "planting;" but it broke all organisation for concentrating power in the Highlands, and increased the controlling authority of

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[1] These estates were gifted to Campbell of Calder, and afterwards passed to the Shawfields branch of the Campbell family. Highland property has ever been subject to mutability; and as generations passed, the Campbells of Islay came to be among the longest rooted of the Highland families. Many people both in England and Scotland will remember the last chief who kept state in Islay, as a genial, accomplished, hospitable gentleman.

[2] For the affairs of the Bishop of the Isles, see Gregory's Highlands and Islands, 349 *et seq.*; and Original Letters (Bannatyne Club), 372, 393, and 397.

the Government there. The policy to be pursued was modelled on the order taken with a group of the most powerful chiefs subjected to certain conditions, of which that which stood at the head as fundamental, was that they were "to bind themselves mutually, as sureties for each other." For the observance of the other conditions, chief among them was that they should appear before the Council annually on the 10th of July, and oftener if required, and on being legally summoned. By another they became bound to "exhibit annually a certain number of their principal kinsmen, out of a larger number contained in a list given by them to the Council." The number of "Gentlemen" to be maintained in the household of each was limited. There were conditions against serving and going armed. It was conditioned that each chief should have a fixed residence—viz., Macleod at Dunvegan, Maclean of Dowart at that place, Clanranald at Elanterim, Maclean of Coll at Bistache, Lochbuy at Moy, and Mackinnon at Kilmorie. Such of them as had not convenient dwelling-houses corresponding to their rank at these places, were to build without delay "civil and comelie" houses, or repair those that were decayed. They were likewise to make "policie and planting" about their houses; and to take *mains*, or home-farms, into their own hands, which they were to cultivate, "to the effect they might be thereby exercised and eschew idleness." They were required to adjust fixed rents with their tenants or followers in place of the traditional Celtic exactions. Another condition looks as if the spirit of the old sea-rover still lingered. It was that no single chief should keep more than one birling, or galley, of sixteen or eighteen oars; and that, in their voyages through the Isles, they should not oppress the country people.

The ninth condition is one of much interest. It required that they should send all their children above nine years of age to school in the Lowlands, to be instructed in reading, writing, and speaking the English language; and that none of their children should be served heir to their fathers, or received as a tenant by the king, who had not received that education. This provision regarding

education was confirmed by the Act of Privy Council, which bore, that "the chief and principal cause whilk has procured and procures the continuance of barbarity, impiety, and incivility within the Isles of this kingdom, has proceeded from the small care that the chiftanes and principal clanned-men of the Isles has had of the education and upbringing of their children in virtue and learning; who, being careless of their duties in that point, and keeping their children still at home with them, where they see nothing in their tender years but the barbarous and uncivil forms of the country, they are thereby made to apprehend that there is no other forms of duty and civility keeped in any other part of the country; so that, when they come to the years of maturity, hardly can they be reclaimed from these barbarous, rude, and uncivil forms, whilk, for lack of instruction, were bred and settled in them in their youth: whereas, if they had been sent to the inland (the low country) in their youth, and trained up in virtue, learning, and the English tongue, they would have been the better prepared to reform their countries, and to reduce the same to godliness, obedience, and civility."[1]

[1] Gregory's Highlands and Islands, 392-395. The "lastly" of these conditions embodies the limitations on the consumption of wine already cited.

CHAPTER LXVI.

JAMES VI.

EXPECTATION OF A VISIT BY KING JAMES TO HIS "ANCIENT KINGDOM"—PREPARATIONS FOR IT—SCANDAL AND ALARM CREATED BY DECORATIONS OF THE ROYAL CHAPEL, AND OTHER INCIDENTS—DIFFERENCE BETWEEN ENGLAND AND SCOTLAND IN SUCH MATTERS—HE COMES—THE PAGEANTRIES AND SPEECHES—RESTORATION OF DEANS AND CHAPTERS—OTHER ECCLESIASTICAL SOURCES OF ALARM—THE FIVE ARTICLES OF PERTH—A BATTLE WITH THE PRESBYTERIANS TO COMPEL THEM TO CONFORM—KING JAMES SHOWS SENSE, AND STOPS—HIS OPINION OF LAUD—AN AFFAIR VARYING THE ECCLESIASTICAL DISCUSSIONS—SCOTS ENTERPRISE—DREAMS OF COLONISATION—NOVA SCOTIA, OR NEW SCOTLAND—THE PROJECTORS AND THE BARONETS—THE ULSTER PLANTATION—CONCLUSION OF THE REIGN OF JAMES VI.

The king had promised that when State affairs permitted him to leave England he would pay a visit to his "ancient kingdom." That event was now at hand, and many preparations for it were in progress, some of them not entirely propitious. The project for establishing a choir of singers in the Chapel of Holyrood has already been noticed. The Bishop of Galloway, who was actively engaged in it, and suffered in his worldly goods for his activity, writes to the king, saying: "I have intended action against all such as presently possess the rents of the chapel, and shall do what in me lies to recover them (not for any benefit to me, being heartily content to quit all the rent thereof), that your highness's chapel may be provided of musicians, and the churches belonging thereto of

pastors."[1] Whoever has studied the contest of the new hierarchy for subsistence out of the old domains of their sees, will easily realise what a group of sordid enemies this effort to recover the revenues of the chapel would raise.

The king indulged himself in a pleasant fancy for having his chapel decorated for his reception with pictures and wooden sculpture. The zealous Presbyterians, who in Edinburgh were growing in numbers and zeal, heard a rumour of this scheme, and it filled them with horrible suspicions. Their activity, earnestness, and bitterness communicated a sensation of alarm to James's own particular friends in the hierarchy, and they ventured to remonstrate against his project. The end was, that the dreaded cargo of pictures and graven images did not arrive from London. In a letter thoroughly his own, the king set forth at great length that this result must not be attributed to any homage to the superior wisdom of his advisers, or any failure of resolution to give effect to his royal determination, but was the effect of mere accidental interruption to the completion of his decorations:—

"When we received and perused your letter of the 25th of February last, concerning the graven work of wood intended for decoring of our seat in our chapel at Holyrood House, we were at first afraid that some of the directors or workmen had been Papists, and so without our knowledge had intended there to erect such idolatrous images and painted pictures as those of that profession had been in use to adore; but when we had better considered, and exactly tried what was done, we find but a false alarm, and that causeless fears have made you start at your own shadows. Yet seeing a change is commanded upon that work, upon notice given to us by our master of works here of the difficulty and longsomeness thereof, lest our silence, and not answering of your letter, might be interpreted for a kind of consent or approbation of what ye wrote thereanent—and to the effect that the command of that alteration shall not be thought to have proceeded

[1] Original Letters (Bannatyne Club), 466.

from any such conceit in us as ye are possessed with—we have thought good hereby to certify you that we was not induced thereto by any such ground or consideration, but merely because of the misdoubt conceived that the work would have been so well or so soon done in that kind as in the form now directed. And therefore do not deceive yourselves with a vain imagination of anything done therein for ease of your hearts or ratifying your error in your judgment of that graven work, which is not of an idolatrous kind like to images and painted pictures adored and worshipped by Papists, but merely intended for ornament and decoration of the place where we shall sit, and might have been wrought as well with figures of lions, dragons, and devils, as with those of patriarchs and apostles. But as we must wonder at your ignorance, and teach you thus to distinguish the one and the other, so are we persuaded that none of you would have been scandalised or offended if the said figures of lions, dragons, and devils had been carved and put up in lieu of those of the patriarchs and apostles."[1]

The king entered Scotland on the 13th of May 1616, and remained there till the 5th of August 1617. This period was chiefly occupied in royal receptions and pageants of such meagre kind as Scotland could afford. Comparing what we know of these with the portly records of the great English progresses, one would say that the ancient kingdom endeavoured to make up in intellect and scholarship for her deficiency in grandeur and substantial hospitality. The scholarship of Scotland was put under requisition for eulogistic addresses in all forms of Latin versification. We have consequently to weigh against the substantial chronicles of festivals and costly pageants a thin folio volume, chiefly filled with such productions as will remind its reader of college exercises, though it is enlivened by one poem in the vernacular, contributed by Drummond of Hawthornden.[2]

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[1] Original Letters (Bannatyne Club), 497.

[2] 'The Muses' Welcome to the High and Mighty Prince James, by the Grace of God King of Great Britain, France, and Ireland, De

The whole was wound up by an exhibition which might be likened to academic saturnalia. A group of professors and students were summoned from his own college of Edinburgh to appear before him in Stirling, and there hold a "disputatio" in the established academic fashion. This practice, otherwise known as the "impugnment of theses," was an exhibition of logical gladiators. Some one stated certain "theses" or propositions which he was prepared to support, while others impugned them. It was a practice then beginning to infest the universities, so as to choke the progress of true knowledge with formalities. Those engaged in the contest were only to make use of the laws and practice of formal logic: the truth of the question before them, as a matter of experimental philosophy, did not belong to the programme. This practice, long stubbornly pursued, brought the science of logic into a discredit from which it has hardly yet recovered. The assemblage round the king gave their small contribution to this cause of discredit. When taking up "the nature of local motion," and "the origin of fountains and springs," they did their logical manipulations so neatly as to call from their master the compliment that "these men know the mind of Aristotle as well he did himself when alive."

As on all these occasions, those who met their king were profuse in deference and flattery. His visit was so far a succession of delights; but he left behind him morsels of serious work attended by recollections of a different order. The king attended a session of the Estates, who passed an Act for perfecting the structure of the new hierarchy by the restoration of the Dean and Chapter of each See. The election of the bishop was to be by the Crown presenting and the chapter electing the person so presented, after the famous and illogical model of the *congé d'élire* in England. A far more serious portion of the measure was the restoration of the temporali-

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fender of the Faith, &c., at his Majesty's happie Returne to his old and native Kingdome of Scotland, after xiii years' absence, in anno 1617. By John Adamson.'

ties of the Deaneries, Canonries, and Prebends' stalls, so far as these temporalities could be recovered.[1] In this we see a device for widening the arena for that game of selfishness, coercion, and chicanery which we have found in the dealings with the revenues of the bishops. Another Act of this Parliament, little noticed in history, created a great change in the condition of the clergy. It was called an Act "anent the plantation of kirks," and set out with the preamble, that "there be divers kirks within this kingdom not planted with ministers, wherethrough ignorance and atheism abounds among the people; and that many of these that are planted have no sufficient provision nor maintenance appointed to them, whereby the ministers are kept in poverty and contempt, and cannot fruitfully travail in their charges."[2] The Act appointed an independent Parliamentary commission of thirty-two persons, being eight out of each Estate—prelates, nobles, lesser barons, and burgesses. Their powers and duties were, out of the teinds or tithes then dispersed among various hands, to assign a stipend to the minister of each church. The minimum allowance was equivalent to 500 merks, a sum estimated at £27, 15s. 6d. sterling; the maximum reached 800 merks, estimated at £44, 9s. sterling. As ecclesiastical lawyers and antiquaries find that the complaints of the Churchmen about their incomes were much modified after this commission began its work, there is the inference that it gave them some satisfaction.[3] We may further infer, that to the extent to which the clergy were pleased and satisfied, the several greedy unscrupulous classes of men who had got possession of the tithes became discontented and hostile.

A thing was begun in this Parliament, and left undone, which yet in after-times became more memorable than any of its completed business. The king desired the Estates to pass an Act to the effect "that whatsoever conclusion was taken by his majesty, with advice of the archbishops and bishops, in matters of external policy, the same

[1] Act. Parl., iv. 525.
[2] Ibid., iv. 531.
[3] Connel on Tithes, 186.

should have the power and strength of an ecclesiastical law." The bishops who were immediately consulted by him on this project recommended him to revise and enlarge it, on the principle "for that in making of ecclesiastical laws the advice and consent of presbyters was also required." The proposed clause was therefore altered so as to stand thus: "That whatsoever his majesty should determine in the external government of the Church, with the advice of the archbishops, bishops, and a competent number of the ministry, should have the strength of a law."

The Presbyterian party among the clergy, hearing of a proposal which, as their historian says, "was like to cut the cords of the remanent liberties of our Kirk," had meetings and discussions about it. They prepared a full protestation against it, on principles so often referred to in the preceding pages that the omission of them will perhaps be pardoned. By an accident the king had an opportunity of seeing the protestation before it was formally presented. He then desired the Lord Register, who had charge of the Parliamentary proceedings, to cancel the clause, or "to pass by that article as a thing no way necessary, the Prerogative of his Crown bearing him to more than was declared by it."[1] The view thus expressed by King James was brought up for discussion nineteen years afterwards, when his son, in issuing the ecclesiastical canons, claimed for the Prerogative a great deal "more than was declared" by the abandoned clause.[2]

Of the marks which the royal visit left behind it, those which belonged to the business of the Estates were not the most emphatic. In the chapel which he had prepared for himself in Holyrood House, the king had services in which all the ceremonials of the English Church were scrupulously repeated. This was done not quietly and

[1] Spottiswood, 533 *et seq.* The two contemporary historians—the Prelatic and the Presbyterian historian—tell this affair, each from his own point of view, with a thorough coincidence as to the leading facts. Calderwood, vii. 250 *et seq.*

[2] Heylyn's Life of Laud, 301.

privately as if for the satisfaction of his own conscience, but with great bravado and display, as if he called on all men to admire what was so pleasing to himself. Such things caused much murmuring and foreboding among the zealous on the other side, who saw, and with too much reason, in the ceremonials of the Chapel Royal, the model to which all were to be subdued by the new temporal head of the Church. The promoters of "the protestation" which had produced so curious a result were not forgotten. Some of the most conspicuous among them were "warded," and others threatened. David Calderwood, the chronicler of the Church affairs of the day so often quoted, was one of the most conspicuous of the Protesters; and when he appeared before the court of high commission, the king argued matters in the old fashion. Thus the historian of the Church had the glory of recording a long controversy in which his sovereign condescended to wrangle with him.[1] The "protestation," however, was rendered a mere casual and passing affair by the supreme importance of the measure called "the Five Articles of Perth," which fulfilled even more than the worst fears of the protesters concerning coming innovations.

Perhaps it was the first intention of the Court to issue these Articles in the king's name as head of the Church, since we find the substance of one of them anticipated by a royal proclamation for the observance of holidays. It ordained "according to the example of the Kirk, when the same was in greatest purity, and most free from corruption and error," that there should be abstinence from business, and attendance on worship on Christmas-Day, Good Friday, Easter-Day, Ascension-Day, and Whitsunday. Whatever may have been the original design, the Five Articles—the fifth of which repeated the injunction as to holidays—were passed in a General Assembly held at Perth in the summer of 1618.

The first and most important of these Articles enjoined, that at the sacrament of the atonement the communicant

[1] Calderwood, iv. 250 *et seq.*; Original Letters (Bannatyne Club), 502.

should receive the elements kneeling. The second permitted communion in private houses in case of sickness; and the third allowed private baptism on necessary cause: the innovation in these two articles was in making communion and baptism no longer a public act in which the congregation of the faithful partook, but a transaction apart between priest and layman.[1] The fourth article enjoined the confirmation by the bishop of children eight years old; and the fifth repeated the order for observing holidays.

To see how deep these simple rules of ecclesiastical ceremonial, or ritualism, cut into the prejudices of a large portion of the community, it may be proper to glance back at some conditions peculiar to the Reformation in Scotland. The stranger in a Scots Presbyterian church generally remarks that the form of service seems to have no other ruling principle save that of antagonism to the forms of all the Churches which have adhered, in whole or in part, to the traditional ceremonial of the Church of the middle ages. Where in these the suppliant humbly kneels in prayer, in Scotland he stands straight up, with his head erect, as if he would look the Giver of all in the face, and demand what he prays for. Then in the celebration of the sacrament of the atonement, while in other Churches the ceremonies are adjusted so that the communicant shall appear as a suppliant humbly receiving the great boon at the hands of those authorised to render it; in the ministration of the Lord's table in Scotland, scrupulous care seems to have been taken to give the whole as much

[1] A high authority of the period says: "In private baptism the congregation is neglected. The Church hath interest in the baptism of the child as well as the minister, for the child is received into the congregation to be a member thereof. And therefore the confession of the parents should be given publicly before that the child receive the seal of the covenant." Calderwood, Altar of Damascus, 209. It is necessary to go back for such an explanation, as the doctrine it announces is now so obsolete that baptism in private houses is the general rule among the wealthy Presbyterians in Scotland, who are sometimes inclined to sneer at the punctiliousness that sends their Episcopalian neighbours to the porch of a duly-consecrated church.

as possible the aspect of a miscellaneous party assembled for convivial enjoyment round a hospitable board.

But whatever aspect they may have at the present day, these things had for nearly a century after the Reformation a more potent cause than mere logical antagonism. It was the opinion of the Calvinistic Reformers—whether a right or a wrong opinion—that the Church of Rome had carried symbolism so far as to break that commandment which saith, "Thou shalt not make to thyself any graven image, nor the likeness of anything that is in heaven above, or in the earth beneath, or in the water under the earth: thou shalt not bow down to them nor worship them." Two prominent forms of idolatry were selected for denunciation. The one was addressed in the sacrament of the atonement to the elements as having become sacred by transubstantiation. The other was the seeking the intervention of saints or other holy powers through homage or worship directly addressed to their likenesses in painting or sculpture. It was against the visible and tangible tokens of these idolatries that the preachers directed the destructive energies of their hearers, when so much mischief was done in churches that their admonitions were afterwards interpreted as if they had called for the destruction of the churches themselves. The spirit of the new order was to count the humiliating gestures of the body as made by man to express subservience to his fellow-mortal, or adoration of the work of human hands. It professed that the invisible adoration of the heart is the proper offering to the Deity, who, seeing in secret, knows that it exists without looking to an external symbol. Hence these Churches resolved to sweep away not only the mere material objects of idolatry, but also the forms in which that idolatry was practised.

If the people have been accustomed to employ certain acts as symbolical of reverence or devotion, it is useless to substitute others of a different kind, and to say that henceforth these shall be the outward and visible signs of inward homage. The absolute alternative is either to abolish all, or retain so much, and guide the spirit of its use in the right direction. This was the alternative of the Church of

England, and its spirit has been well expressed by a thoughtful layman of the day: "We have reformed from them, not against them; for, omitting those improprieties and terms of scurrility betwixt us, which only difference our affections and not our cause, there is between us one common name and appellation, one faith and necessary body of principles common to us both; and therefore I am not scrupulous to converse and live with them, to enter their churches in defect of ours, and either pray with them or for them. I could never perceive any rational consequence from those many texts which prohibit the children of Israel to pollute themselves with the temples of the heathen, we being all Christians, and not divided by those detestable impieties as might profane our prayers or the place wherein we make them; or that a resolved conscience may not adore her Creator anywhere, especially in places devoted to His service, where, if their devotions offend Him, mine may please Him; if theirs profane it, mine may hallow it. . . . At my devotion I love to use the civility of my knee, my hat, and hand, with all those outward and sensible motions which may express or promote my invisible devotion. I should violate my own arm rather than a church, nor willingly deface the name of saint or martyr. At the sight of a cross or crucifix I could dispense with my hat, but scarce with the thought or memory of my Saviour."[1]

But it was far too late for soothing sentiments like these to influence Scotland. In England the old parish church, with all its decorations scarcely touched by the Reformation, gave a local harmony and natural association with the past to whatever remnants of the old ceremonial of the Church were permitted to cluster round it. The very wealth of the Establishment, keeping men contented, and all things in comfortable order, had a soothing and conservative tendency. In Scotland the temples had been desolated, and those expected to serve in them were doomed to penury. All things were cast loose, and the ardent spirits clung to the doctrines and systems that fed

[1] Sir Thomas Browne's Religio Medici.

their enthusiasm. All this was now sixty years old; so that what in England was the old accustomed order, became in Scotland flagrant innovation.

At the same time, those who represented the extirpators of idolatry, root and branch, could render practical reasons respecting their policy. The Puritans of England told them that the revival of symbolisation there was reproducing something like the old Popish idolatry among the English peasantry. In Scotland, wherever there existed remnants of the old apparatus of idolatry, zealots would be found prowling about them in adoration. In corners of the vast ruins of Elgin Cathedral, groups of Popish worshippers assembled secretly down to the reign of Queen Anne. In remote places where there were shrines, crosses, or holy founts, the people, though nominally Protestant, were found practising some traditional remnant of the old idolatry. Crosses, shrines, and other artificial attractions to such irregularities might be removed; but there remained the most significant of all the old centres of devotion—the consecrated wells—the springs of water from which, according to the traditions of the old Church, the earliest missionaries made the first converts to Christianity. The documents of the Church of Scotland for centuries are filled with these causes of backsliding. Though everything had been done, from the Reformation downward, to obliterate the memory of the local saints, the shrine or the well retained its spell though the peculiar saint whose virtue attached to it was entirely forgotten. The idolatrous usages thus bewailed have been in later times almost peculiar to the Highlands, where, within the memory of people still living, the parish minister has had to complain, that while his flock in all respects piously conform to the rule of the Presbyterian discipline and doctrine, it has defied all his efforts to suppress the idolatrous observances with which they are determined to implement their orthodox conformity.

Whoever may have been the leader in the preparation of the Five Articles of Perth, they are a fair specimen of that capacity for imparting a reverend and devotional feeling in idiomatic and expressive language which has

so enriched the literature of the Church of England. The first and most offensive article may be taken as an example of the manner and method of the whole :—

"Seeing we are commanded by God Himself, that, when we come to worship Him, we fall down and kneel before the Lord our Maker, and considering withal that there is no part of divine worship more heavenly and spiritual than is the holy receiving of the blessed body and blood of our Lord and Saviour Jesus Christ, like as the most humble and reverent gesture of our body in our meditation and the lifting up of our hearts best becometh so divine and sacred an action ; therefore, notwithstanding that our Church hath used since the reformation of religion to celebrate the holy communion to the people sitting, by reason of the great abuse of kneeling used in the idolatrous worship of the sacrament by the Papists, yet seeing all memory of bypast superstitions is past, in reverence of God, and in due regard of so divine a mystery, and in remembrance of so mystical an union as we are made partakers of, the Assembly thinketh good that the blessed sacrament be celebrated hereafter meekly and reverently upon their knees."

The Articles were carried in the Assembly by a majority of eighty-six to forty-one. It was maintained by the de feated party that the meeting was not a free and fair Assembly, and that all manner of sinister influences were used to secure the passing of the Articles. No doubt it was so. The bishops and the officers of the Crown in Scotland claimed credit for their services on the occasion. It was then as it ever is in political interests—whatever influences the condition of the times permits to be used are used.[1]

It was resolved that the Five Articles should have every available political sanction. They had the injunction of the prerogative and the assent of the Church. They were passed by the Estates in 1621, in a house unusually full. This was the climax of the contest ; for whatever might

[1] See an account of the contest in a report by Lord Binning to the king; Original Letters (Bannatyne Club), 573 *et seq.*

have been done without consulting the Estates, had these rejected the Articles, it would have been a direct and a formidable violation of the oldest and strongest power in the constitution to have attempted to sustain them. There was therefore much excitement outside during the meeting of the Estates; and the faithful historian of the Church, who was doubtless present, tells us how, in the following shape, "God appeared angry at the concluding of the Articles:"—

"The grand commissioner rising from the throne to ratify the Acts by touch of the sceptre, at that very moment the heavens sent in at the windows of the house, which was dark before by reason of the darkness of the day, an extraordinary great lightning; after the first a second, and after the second a third more fearful. Immediately after the lightnings followed an extraordinary great darkness, which astonied all that were in the house. The lightnings were seconded with three loud cracks of thunder. Many within the Parliament House took them to be shots of cannons out of the castle. It appeared to all who dwelt within the compass of ten or twelve miles that the clouds stood right above the town, and overshadowed that part only. The beacon standing in the entry of Leith haven was beaten down with one of the blasts of thunder. After the lightning, darkness, and thunder, followed a shower of hailstones extraordinary great; and after all, rain in such abundance that it made the gutters run like little brooks." [1]

It may be noted in passing, that the Act of the Estates authorising the Five Articles is the only statute on the face of the records of the Scots Parliament which either authorises or dictates on matters of religious ceremonial. It was superseded by various laws passed during the civil war; but these were collectively repealed or "reschinded," as it was termed, at the Restoration. According to the English doctrine of statute law, the Act called "A Ratification of the Five Articles of the General Assembly of the Kirk holden at Perth" would be

[1] Calderwood, vii. 505.

actual law at the present day; but, according to the practice of Scotland, it passed into oblivion, and thus ceased to be law.[1] It is another peculiarity of Scots legislation, that although the Act "statutes and ordains" the Articles "to be obeyed and observed by all his majesty's subjects as law in time coming," there is no punishment or penalty laid on those who disobey the injunction.

During the progress of these affairs, and thence until his death, the king kept up a harassing contest to compel people in Scotland, and especially in Edinburgh, to conform—to adopt and practise all his innovations with cheerful alacrity, as became the subjects of a sovereign who not only represented the Deity on earth, but represented Him with more than the usual amount of wisdom allotted to others in a like sacred position. It was evidently with much satisfaction that he required rigorous conformity from all whom he could command as holding office under the Crown. They were directed to show their conformity in an active and conspicuous shape by attending the Church services on the holidays. Some of them were believed to be tainted with scrupulosity about these observances; and the king took a slightly malicious satisfaction in hunting them through all their excuses for absence arising out of health, business, or whatever other cause. The "Youle vacance," equivalent to the Christmas holidays in England, was that which roused the strongest opposition. It joined into the festivities of the New Year, believed to be not only Popish, but a continuation of the saturnalia of heathen times. The name Yule, it is said, was the Jol of the old Scandinavians before their conversion. A contest for the active and visible observance of these days by attendance at church could not last long. But when the question resolves itself into the mere withdrawal from work or business, the positive side has all the advantage of the situation which usually falls to the negative. The numerous class whose interest it is to have a day of idle enjoyment generally gain in the end; and in the present day the zealous Presbyterian overseer or

[1] Act. Parl., iv. 596.

clerk does not feel his conscience afflicted by relief from duty even on Good Friday. For all this weight in its favour, however, the "Yule vacance" remained a great test of orthodoxy and an object of contest far down into the eighteenth century.

It was considered as revealing the other half of the scheme, when it became known that the king, while enforcing holidays in Scotland, was relaxing the observance of the Lord's Day in the north of England. A proclamation was issued in Lancashire, the chief injunction of which was, "that after the end of divine service, our good people be not disturbed, letted, or discouraged from any lawful recreation, such as dancing, either men or women, archery for men, leaping, vaulting, or any such harmless recreation, nor from having of May games, Whitsun ales, and moris-dances, and the setting up of May-poles and other sports therewith used, so as the same be had in due and convenient time, without impediment or neglect of divine service." Two reasons were given for this—the one, that Popish priests may not have it in their power to assure their dupes "that no honest mirth or recreation is lawful or tolerable in our religion;" the other, briefly expressive of an argument often used in the present day, that the suppression of healthy exercise, "in place thereof sets up filthy tipplings and drunkenness, and breeds a number of idle and discontented speeches in their alehouses."[1]

Any one familiar with what may be called the literature of the Court of Scotland over this and a few of the preceding reigns, becomes conscious at this period that a great, though gradual, change has been effected in its character. Terms of servile adulation to the sovereign, unknown in earlier days, have gradually crept into it, having passed through the hands of priests and civilians from the expressions of adoration applied to the later Roman emperors. However pleasantly his servants had discharged this superficial duty, the king was not content with their zeal in exacting compliance with his religious

[1] Calderwood, vii. 298.

demands. In one instance, where they had failed to bring a recusant clergyman to reason, he rates them in this petulant manner, casting up to them the more efficient services of his English Conncil, and referring to some lucrative scheme for one of themselves, in which they were more prompt than in the enforcement of his royal will:—

"By your letter of the 10th instant you do certify your proceedings against Mr John Murray, minister, wherein we, expecting to have heard of his punishment inflicted by you, did find nothing in it but ane idle relation of his equivocating prattling, and do now perceive that you are loath to falsify our prophecy of you uttered by us in that letter sent unto you concerning that precipitate Act passed against us in favour of our advocate anent the silver mine—wherein, howsoever, our private interest, notour to every one of you, did carry some reason that we should have been acquainted before you proceeded, yet in that there was no stop nor delay. But in the punishing of any Puritan preacher, howsoever manifest his offence be, we did foretell—that which we now find true by experience—that our pleasure in that matter must be at least some half-dozen several times sought, and the same signified to you, before we can have any of our directions in these matters executed; wherein how far in duty and discharge of your place you come short of our Council here, I leave it to your own consideration, and therefore in our directions hereafter, you must either do what is commanded, or then excuse yourselves upon your insufficiency to discharge your places."[1]

When even the bishops gently deprecated the too eager pressure of the Five Articles upon tender consciences, he wrote to the two archbishops, saying, among other expressions of anger, which show that he had not submitted his despatch to official revisal: "We will have you know that we have come to that age as we will not be content to be fed with broth, as one of your coat was wont to speak; and think this your doing a disgrace no less than

[1] Original Letters (Bannatyne Club), 391, 392*.

the protestation itself." And on some proposal for modifying the article on the communion, he blurts forth: "As to that other act ordaining the minister himself to give the elements in the celebration out of his own hand to every one of the communicants, and that he may perform this the more commodiously by the advice of the magistrates and honest men of his session, to prepare a table at which the same may be conveniently ministered; truly in this we must say that the minister's ease and commodious sitting on his tail hath been more looked to than that kneeling which for reverence we directly required to be enjoined to the receivers of so divine a sacrament." [1]

The opposition to the innovations became formidable in tacit strength, especially in Edinburgh. The king's advisers on the spot felt how difficult a task it was to coerce into the attitude of kneeling a community not that way inclined. The king kept a restless correspondence with his servants in Scotland, requiring of them minute reports on the conduct of the citizens of Edinburgh about the Articles. He received in return such meagre encouragement as might be found in these notices by his sagacious and unscrupulous supporter Thomas Hamilton, who, having done hard and unpleasant work as Lord Advocate, had got his reward in the rich lordship of Melrose. He writes, on 16th April 1623, "an account of the order observed in this town at Easter." It was "not so gracious" as he could have wished. The clergy, he says, had done their duty, "all of them very worthily, according to the time and holy subjects whereof they had to entreat. The number of communicants was small; no strangers—few of the town's people of good sort. The greater part received kneeling, following the example given by the ministers, and by your majesty's treasurer, depute-advocate, and me. Master Patric discreetly moved some to kneel who offered to have done otherwise; but sundry of the base sort, and some women not of the best, did sit. In the College Church I hear by them whom I caused attend, that the number of communi-

[1] Original Letters (Bannatyne Club), 524, 525.

cants far exceeding that of the High Church, very few of them kneeled." He ventures to suggest that "time and convenience shall prevail more to reduce them to conformity than sudden or vehement instance;" and he fears "lest the scandal and difficulty of the remede be more hurtful than the toleration for a short space—the trouble of a rascally multitude for a subject which is pretexed with conscience not seeming seasonable."[1]

The opposition became more than tacit. Some citizens united together to co-operate on the common understanding, not only to abstain from kneeling, but to hold aloof from those who knelt.[2] The king poured in angry letters on his perplexed advisers, and repeated his favourite threat of depriving the capital of every spark of light from the royal countenance, by removing the establishments of the Government and the courts of law elsewhere. A pamphlet denouncing the Five Articles passed from hand to hand, and was greedily read. The result of a close inquisition was the assurance that it could not have been printed in Edinburgh; and in fact it was published at Middelburg, whence copies of it were brought to Scotland.

A certain William Rigg, an affluent citizen, was believed to have helped in the importation of the pamphlets, and to have otherwise actively assisted in opposition to the Five Articles. Of him the king determined to make a victim, by charging on him a fine so large as to be virtual confiscation. This spread a lively alarm, as a precedent full of danger. Other punishments stood as questions between the executive and the individual sufferer; but confiscation was apt to be measured more by the necessity or avarice of the Crown than by the misconduct of the sufferer. It was, in fact, taxation by the executive without the consent of Parliament; and the English constitutional party were becoming alarmed by devices to accomplish that object.

Those to whom the king imparted his design thought

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[1] Melros Papers, *637; Letters (Bannatyne Club), 712.
[2] Letters (Bannatyne Club), 757.

it so dangerous that they concealed it not only from the public, but from their fellow-councillors. They found, however, that the "bruit" of it had got abroad; and with profuse expressions of humility and obedience they say: "As the Lord knows, we have no other thing before our eyes but your majesty's honour and the general content of your subjects, who at the first raising of the uncertain bruit of this fine—whereof the particulars is yet unknown unto them—were so moved with the rareness of the matter, and the apprehension of fear upon the preparation and consequence thereof, as we have not heard of a matter so hardly tane with, and so dangerously apprehended by all ranks of persons. For the like of this fine was never heard of in this kingdom; and there never was a crime, how grievous soever, whilk was punished by fining that received such a censure. Nor can the means of private persons afford such sums; and the man himself, although in the general opinion he be wealthy, is not known to have so much stock as the sum imposed. And if it be left in record, it will import the effect of ane forfeiture, and a depriving him of his whole estate, whilk, in a matter of this kind, respect being had to the quality of the offence and quantity of the fine, will not be warranted by example, and in the opinion of many will not subsist by course of justice. The consideration whereof hath moved us heather-tills to conceal the fine, being persuaded that the Council would never allow thereof; and we were loath that any of your majesty's directions should receive an interruption or hard interpretation."[1]

It is interesting to have in the end to show that the last public act of King James affecting the subjects of his ancient kingdom imported a decided misgiving about the violent onward course pursued by him, and was in fact a revocation of the latest step taken in it. That step was indeed the climax of his policy of force. A proclamation had been issued enjoining a special Christmas communion. It began with much scolding, directed against the recusants, as, "Misled with their own conceits and opinions, and

[1] Original Letters (Bannatyne Club), 753; Melros Papers, 573.

with an hypocritical affectation of purity and zeal above others." The conclusion was: "That the communion be celebrated in all kirks of our burgh of Edinburgh at Christmas next; and that all persons, as well as our Privy Council, Session, magistrates of our burgh of Edinburgh, and all others, the community of the same, be all present, and take the communion kneeling; wherein if they fail, we, for that contempt of God and Us, will not only remove the Session, but also all other courts of justice from our said burgh."[1]

The corporation of Edinburgh put in a remonstrance against this injunction; and even some of the bishops represented to the king that it were better to give the recusants time to come to their senses. Deferring to these persuasions, it was proclaimed in December 1624, that "his majesty, following his accustomed gracious inclination, rather to pity nor to punish the errors and faults of his people; and by a loving and fatherly behaviour, patiently to abide some time of their amendment, and by gentle and fair means rather to reclaim them from their unsettled and evil-grounded opinions, nor by severity and rigour of justice to inflict that punishment whilk their misbehaviour and contempt merits."—Thus influenced, his majesty was pleased to withdraw the offensive proclamation.[2]

We must not leave this story of political folly, tardily and imperfectly repented, without mentioning an occasion in which King James referred to these affairs in a confidential communing with one of his English advisers, to whom he expressed himself in such wise that, looking to what he says of the past, and to that future which we know but he did not, an inquirer, knowing nothing else about him, would assuredly class him among the wisest of human rulers. We have this revelation from Bishop John Hacket, a worldly priest, in his Life of one of the most worldly prelates that ever cast the shadow of the self-seeker on his order. But Hacket was a faithful narrator, and his story

[1] Calderwood, vii. 622, 623.
[2] Original Letters (Bannatyne Club), 773.

is strongly supported by internal evidence. The occasion was the promotion of William Laud, "a learned man and a lover of learning," to the humble see of St David's. The king was not easily entreated to give Laud a step in power as well as rank, and told his reasons thus :—

"The plain truth is, that I keep Laud back from all place of rule and authority because I find he hath a restless spirit, and cannot see when matters are well, but loves to toss and change, and to bring things to a pitch of reformation floating in his own brain, which may endanger the steadfastness of that which is in a good pass, God be praised. I speak not at random. He hath made himself known to me to be such a one ; for when, three years since, I had obtained of the Assembly of Perth to consent to five articles of order and decency in correspondence with this Church of England, I gave them promise, by attestation of faith made, that I would try their obedience no farther anent ecclesiastic affairs, nor put them out of their own way, which custom had made pleasing to them, with any new encroachment. Yet this man hath pressed me to invite them to a nearer conjunction with the liturgy and canons of this nation ; but I sent him back again with the frivolous draught he had drawn. It seemed I remembered St Austin's rule better than he : 'Ipsa mutatio consuetudinis, etiam quæ adjuvat utilitate, novitate perturbat' (Ep. 118). For all this he feared not mine anger, but assaulted me again with another ill-fangled platform to make that stubborn Kirk stoop more to the English pattern. But I durst not play fast and loose with my word. He knows not the stomach of that people ; but I ken the story of my grandmother, the queen-regent, that after she was inveigled to break her promise made to some mutineers at a Perth meeting, she never saw good day, but from thence, being much beloved before, was despised by her people."[1]

This utterance of almost prophetic sagacity is the more notable, that the time had not yet arrived when the sinister interest of Laud appears on the political horizon

[1] See chapter xxxvii.

like a star of evil omen, and that there was no public opinion to guide the king to his conclusion. In pressing Laud's claims, Williams was the agent of the favourite Buckingham; and the king yielded to his pressure, flinging him the parting taunt, "Then take him to you, but, on my soul, you will repent it." This was as true as the larger presage. The two prelates had a fierce contest, and Laud, who was the victor, would have brought his old patron to ruin had not his own troubles gathered round him.[1]

The religious squabbles which so indecorously disturbed the latter years of the reign of King James, were varied by an event announcing the germ of a new and healthy political growth. The creation of the province of Nova Scotia is usually associated solely with the fortunes of the Earl of Stirling and the extension of the dignity of Baronet to Scotland. It was in reality, however, the awakening of the national capacity for trade, manufacture, and colonisation. As an effort to accomplish immediate and mighty results in these shapes it was hardly successful; but it was an utterance of the national voice, proclaiming aspirations that, under happier conditions, were materially to influence the fate of the world. It was the earliest distinct manifestation of that national temperament and capacity which have done so much for trade and colonisation, and have furnished so many of those able men who reared the British empire of the East.

Sir William Alexander, afterwards Earl of Stirling, was known in his day as a traveller who had seen many lands, as a poet, and as a statesman. It will be presently seen that he had some claim to renown for his early services to what is now called political economy. By a royal charter, dated on the 10th of October 1621, he got a grant of the territory in North America called "New Scotland." In the Latin charter the name was translated

[1] A Memorial offered to the great Deservings of John Williams, D.D., who some time held the places of Lord Keeper of the Great Seal of England, Lord Bishop of Lincoln, and Lord Archbishop of York. By John Hacket, late Lord Bishop of Litchfield and Coventry. P. 64.

"Nova Scotia;" and, oddly enough, that name was taken by the territory, and is retained by part of it at the present day. He was authorised to divide this territory into a thousand allotments, and to offer the dignity of a baronet to every adventurer who should take charge of an allotment.

The ulterior objects of the project will be seen in the following considerations. For centuries Scotsmen had found their own country too narrow for their energies and aspirations, and had become a byword for seeking their fortunes abroad and swarming over Europe. In return for maintenance—waxing often into wealth, rank, and power — the standard commodity rendered by them was the mastery of the sword. It was an ill-assorted bargain, for the free Scot had often to lend his hand in consolidating the power or exercising the cruelty of the despot. There was another field of exertion, worthier but narrower, in the republic of letters. But with the progress of civilisation, a new temptation had arisen to lure the Scot away from his own people: this was trade, and the many departments of business and skilled industry connected with its progressive advancement. In those districts where the Jew is to be found at the present day, the Scot was found in the seventeenth century. He discovered a good investment for his skill, sagacity, and endurance in Poland, Russia, and other territories occupied by tribes inapt at business and affairs.[1]

1 William Lithgow, a wandering Scot of the seventeenth century, taking Poland on his way in one of his rambles, says: "The soil is wonderful fruitful of corns, so that this country is become the granary of western Europe for all sorts of grain, besides honey, wax, flax, iron, and other commodities. And for auspiciousness, I may rather term it to be a mother and nurse for the youth and younglings of Scotland than a proper dame for her own birth, in clothing, feeding, and enriching them with the fatness of her best things, besides thirty thousand Scots families that live incorporate in her bowels. And certainly Poland may be termed in this kind the mother of her commons, and the first commencement of all our best merchants' wealth, or, at the least, most part of them."—Lithgow's Travels, eleventh edition, p. 400. How different all this is from the present position of Scotland and Poland to each other!

It was a natural thought to regret that these qualifications should be absolutely removed into foreign countries instead of serving Scotland. If Scotland had not room for the energies of her sons, let her enlarge herself by a due share of that boundless territory open to all comers on the other side of the Atlantic. The effort struggled against a difficulty unseen and unmeasured, like the difficulties that come in nightmare dreams. The capital to give it effective existence was wanting; and it could only make a beginning, and indicate what might gradually come into existence, when the inhabitants of Scotland, having accumulated riches at home, could afford to make use of the fresh and fruitful soil awaiting the plough.

In the maps of the day, all the territory north and north-east of New England, to the St Lawrence and its gulf, is "New Scotland," with rivers and estuaries bearing such old beloved names of home as Clyde, Tweed, Solway, and Forth. It is observable that this project received welcome and help from England, instead of encountering the jealousy and hostility that afterwards crushed the hapless Darien scheme. Possibly, owing to the lingering influence of feudalism, the supreme tyranny generated by the jealous assertion of trading privileges and monopolies had not yet settled down, with all its sordid and cruel influences, on the English mind.

The French had gone before in the project of American colonisation; and we see in his notices of some of their failures how shrewdly Alexander foresaw the leading moral difficulty infesting emigration from its beginning and onward to the present day. He saw in the French settlement men "who had not gone thither intending, what they pretended, out of a clear resolution to inhabit that bounds, but did only flee from some inconveniences that had vexed them at home. Such men, as hating labour they could not industriously serve by their endeavours in a mechanic trade,—so were they not capable of generous inspirations that provoke magnanimity, but, habitually bred to vice, were natural enemies to virtue."[1]

[1] 'The Map and Description of New England, together with a

This was a hint from the experience of the great French colonial projector Champlain; and from what he had seen, Alexander was enabled to lay before his countrymen a vision of a mysterious, but for that all the more attractive, field open to the efforts of the bold adventurer. It will be seen how little is made of that wonder of the world the Cataract of Niagara, in these misty glimpses into a territory now as well known to mankind at large as the most fruitful districts of France and England:—

Champlain had discovered "The River of Canada," or the St Lawrence, and had ascended "above twelve hundred miles, finding in it sometimes such falls as, to escape the same, he must carry his boat a little way by land; and then he did many times come to great lakes, at the end whereof he did always find a river again; and the last lake where he came was a very long one, judged to be three hundred miles in length, by the report of some savages; who did affirm unto him that at the further end thereof they did find salt water, and that they had seen great vessels, which made Champlain believe that a passage might be there to the Bay of California, or to some part of the South Sea, which would prove an inestimable benefit for the inhabitants of those parts, opening a near way to China, which hath been so many sundry ways with so great charges so long sought for."[1]

At that time Scotland had a hardy and adventurous seafaring population. They chiefly inhabited the small towns that fringe the coast of Fife, where may yet be seen the houses of the skippers and traders of the day, proving the wealth and comfort in which they lived. The method of the trade pursued by these men would not justify them on a close scrutiny according to the law and morals of the high seas in the present day. There was little smuggling or contraband among them—that was a pursuit scarcely

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Discourse of Plantations and Colonies,' by Sir William Alexander, Knight. Reprint in Laing's 'Royal Letters, Charters, and Tracts relating to the Colonisation of New Scotland and the Order of Knight Baronets of Nova Scotia.' P. 10.

[1] Laing's Royal Letters, &c., 23, 24.

worth their while; but few of them were free of the stain of piracy. They frequented chiefly the Spanish main; but they also haunted the new territories in the north, where they did business in furs and fish. These were not the men to settle down as quiet permanent colonists; and among the upland folk of Scotland there were strong prejudices against all attempts to settle in distant wilds, and under conditions of practical life unknown not only to themselves, but to the human race at large. "The very people," says the projector, "specially artisans, of whom I stood in need, were at first loath to embark for so remote a part as they imagined this to be, some scarce believing that there could be any such bounds at all; and no wonder, since never any in that part had ever travelled thither, and all novelties being distrusted or disvalued, few of good sort would go, and ordinary persons were not capable of such a purpose."[1]

A small body went out in 1622, in advance of the founder—they were the pioneers of the colony. They found themselves too isolated and feeble to attempt actual settlement, and supported themselves until succour came by the ever-profitable occupation of fishing on the bank of Newfoundland. Among other casualties when they were joined by their chief, "their minister and smith —both for spiritual and temporal respects the two most necessary members—were both dead." Alexander, arriving with the second part of the expedition, gathered up these stragglers, and all doubling Cape Breton, sailed southwards, and landed on the great peninsula now known as Nova Scotia. The result of some explorations was successful, and when skilfully described, as in the passage following, even alluring:—

"They found, a great way up, a very pleasant river, being three fathom deep at a low water at the entry thereof; and on every side of the same they did see very delicate meadows, having roses white and red growing thereon, with a kind of wild lily, which had a dainty smell. The next day they resolved (coasting along the

[1] Laing's Royal Letters, &c., 33.

land) to discover the next harbour, which was but two leagues distant from the other, where they found a more pleasant river than the first, being four fathom deep at a low water, with meadows on both sides thereof, having roses and lilies growing thereon as the other had. They found within this river a very fit place for a plantation, both in regard that it was naturally apt to be fortified, and that all the ground between the two rivers was without wood, and very good fat earth, having several sorts of berries growing thereon—as gooseberries, strawberries, hindberries, raspberries, and a kind of red wineberry—as also some sorts of grain, as peas, some ears of wheat, barley, and rye, growing there wild. The peas grow in abundance along the coast, very big and good to eat, but did taste of the fitch. This river is called Port Jolly, from whence they coasted along to Port Negro, being twelve leagues distant, where all the way as they sailed along they spied a very pleasant country, having growing everywhere such things as were observed in the two harbours where they had been before. They found likewise in every river abundance of lobsters, cockles, and other shell-fishes; and also, not only in the rivers but all the coast along, numbers of several sorts of wild-fowl—as wild-goose, black duck, woodcock, crane, heron, pigeon, and many other sorts of fowl which they knew not. They did kill, as they sailed along the coast, great store of cod, with several other sorts of great fishes. The country is full of woods, not very thick, and the most part oak; the rest are fir, spruce, birch, with some sycamores and ashes, and many other sorts of wood which they had not seen before."[1]

Alexander, in claiming Scotland's share in the partition of the new world, took high ground as representing what was still an independent European State, though its king was also King of England. He said, addressing the "undertakers for New England," that his countrymen would not adventure in the enterprise "unless it were as there was a New France, a New Spain, and a New England, that they might likewise have a New Scotland, and

[1] Laing's Royal Letters, &c., 35, 36.

that for that effect they might have bounds with a correspondencie in proportion (as others had) with the country whereof it should bear the name, which they might hold of their own Crown, and where they might be governed by their own laws; they wisely considering that either Virginia or New England hath more bounds than all his majesty's subjects are able to plant, and that this purpose of mine, by breeding a virtuous emulation amongst us, would tend much to the advancement of so brave a work,—did yield to my desire, designing the bounds for me in that part, which hath been questioned by the French, and leaving the limits thereof to be appointed by his majesty's pleasure, which are expressed in the patent granted unto me under his great seal of his kingdom of Scotland, marching upon the west towards the river of St Croix, now Tweed (where the Frenchmen did design their first habitation), with New England, and on all other parts it is compassed by the great ocean and the great river of Canada; so that, though sundry other preceding patents are imaginarily limited by the degrees of the heaven, I think that mine be the first national patent that ever was clearly bounded within America by particular limits upon the earth."[1]

The available character of the district was of course one great consideration; but there was another of no less importance—how far the Scots were a people fitted to avail themselves of the opportunities afforded to them. Colonisation—enterprise not among the old-established communities of Europe, but on barren lands which were to smile into fruitfulness under their beneficent industry, was new work to his countrymen; and yet the experience of later times shows that his estimate of their capacity for the work was not far wrong:—

"When I do consider with myself what things are necessary for a plantation, I cannot but be confident that my own countrymen are as fit for such a purpose as any men in the world, having daring minds that upon any probable appearances do despise danger, and bodies able to endure

[1] Laing's Royal Letters, &c. 32.

as much as the height of their minds can undertake, naturally loving to make use of their own ground, and not trusting to traffic. Then Scotland, by reason of her populousness, being constrained to disburden herself (like the painful bees), did every year send forth swarms, whereof great numbers did haunt Pole with the most extreme kind of drudgery (if not dying under the burden), scraping a few crumbs together, till now of late that they were compelled, abandoning their ordinary calling, to betake themselves to the wars against the Russians, Turks, or Swedens, as the Polonians were pleased to employ them; others of the better sort being bred in France, in regard of the ancient league, did find the means to force out some small fortunes there, till of late that the French, though not altogether violating, yet not valuing (as heretofore), that friendship which was so religiously observed by their predecessors, and with so much danger and loss deserved by ours, have altered the estate of the guards, and do derogate from our former liberties."[1]

These words touched the source of certain misgivings long dwelling in the Scots mind about the ultimate advantage of the conjunction with England. Had that, which no doubt had made a strong compact empire, really been propitious to Scotland, looking at what it took away as well as what it gave? There were many lingering aspirations after that congenial harvest of the ancient league with France, reaped by the little army of choice spirits who formed the Scots guard. This still had, and retained long afterwards, existence in name; but the really Scots element dropped gradually out of it, as a natural result of the political conditions which made the Scots no longer useful to France as the most effective and destructive enemies of England. The new openings for the Scots abroad, whether as traders, or as mercenaries in the armies engaged in the Thirty Years' War, were a sorry contrast to the chivalrous organisation, and the lofty privileges of that body who were the special guardians of the greatest of European thrones, hence—

[1] Laing's Royal Letters, &c., 38.

"The Low Countries have spent many of our men, but have enriched few, and (though raising their flight, with such borrowed feathers, till they were checked by a present danger) did too much vilipend these favourable springs by which their weakness was chiefly refreshed. But howsoever some particular men might prosper under a foreign prince, all that adventure so do either perish by the way, or if they attain unto any fortune, do lose the same by some colour that strict laws urged against a stranger can easily afford."[1]

New Scotland was too close to the centre of the contests between the French and British settlers in America to be a good emigration-field. In 1628 we find Sir William Alexander's colonists repelling the efforts of the French to appropriate their territory. From that period they appear no more in colonial history as a separate Scots colony; and there are no means of knowing how large a Scots element continued through the contest, which

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[1] Laing's Royal Letters, &c., 38, 39. The following curious analysis of the defects of other nations as colonists is not without some measure of practical truth at the present day :—

'This is no wonder, that the French, being so slightly planted, did take no deeper root in America; for they, as only desirous to know the nature and quality of the soil, and of things that were likely to grow there, did never seek to have them in such quantity as was requisite for their maintenance, affecting more, by making a needless ostentation, that the world should know they had been there, than that they did continue still to inhabit there like them that were more in love with glory than with virtue. Then being always subject to disunions amongst themselves, it was impossible that they could subsist, which proceeded sometime from emulation or envy, and at other times from the laziness of the disposition of some, who (loathing labour) could be commanded by none who would impose more upon them than was agreeable with the indifferencie of their affections and superficial endeavours."

He described the English as free from these defects, and industrious, but destitute of forethought and avaricious of immediate returns; "applying themselves to tobacco and such things as might import a present commodity; neglecting the time that might have been employed for building, planting, and husbandry; so that they did live but like hired servants labouring for their masters, and not like fathers providing for their family and posterity."—P. 36, 37.

ended in the cession of the district to the United Kingdom of Great Britain at the Peace of Utrecht.

But, in fact, difficulties in the new dominions of their king had opened to the Scots a more attractive emigration-field close at hand. What made those great potentates of the north of Ireland, Tyrone and Tyrconnel, take panic flight to the Continent, abandoning their dominions to the mercy of the Government, is one of the mysteries to be dealt with by the historians of Ireland. The event left the wide territory of Ulster headless. This gave opportunity for the great "plantation" scheme. It displaced the native occupiers by two operations — the territorial rights of the higher were forfeited, and the position of the humbler, in relation both to the soil they cultivated and to their superiors, was so strictly adjusted to the usages of the Saxons, that the Celt could not endure an abode among them. The Scots of Galloway and Carrick had to struggle with a miserable soil, and here were fertile acres close by offered on easy terms to their industrial enterprise. An Englishman who, while the plantation was going on, travelled from Glasgow to Carrick, said: "We passed thrugh a barren and poor country, the most of it yielding neither corn nor grass; and that which yields corn is very poor, much punished with drought." Then crossing the Channel, he saw in contrast how "from Belfast to Linsley Garven is about seven miles, and is a paradise in comparison of any part of Scotland." At the period of these notices, the spirit of migration had spread northwards; and the traveller says: "We came to Mr James Blare's, in Irwin, a well-affected man, who informed me of that which is much to be admired—above ten thousand persons have, within two last years past, left the country wherein they lived, which was betwixt Aberdeen and Inverness, and are gone for Ireland. They have come by one hundred in company through the town, and three hundred have gone on hence together, shipped for Ireland at one tide."[1]

[1] Brereton's Travels, 118, 119, 129.

Such were the latest transactions during the lifetime of King James that had much either of influence or interest in his ancient kingdom. He died on the 27th of March, in the year 1625; and from the moment of his death, although the event was of course unknown, the reign of his son was held to have begun in Scotland as well as in England.

CHAPTER LXVII.

CHARLES I.

THE NEW REIGN—ITS TONE AND CHARACTER—CONTRAST WITH THE PRECEDING — SUSPICIONS OF THE ZEALOUS PRESBYTERIANS — CONSTERNATION AMONG THE HOLDERS OF THE OLD ECCLESIASTICAL PROPERTY—SYMPTOMS OF VIOLENT RESISTANCE—STEPS TOWARDS RESUMPTION—THE COMPROMISE—THE REFERENCE OF CLAIMS TO THE ARBITRATION OF THE KING—THE PROCESS—THE ADJUSTMENT —COMMUTATION OF TEINDS OR TITHES—THE QUESTION WHETHER THE ADJUSTMENT WAS INTENDED TO BE FINAL—CONTEMPORARY SUSPICIONS — THE KING'S VISIT TO SCOTLAND — THE ESTATES— TAMPERING WITH THEIR POWERS—FIRST QUARREL BETWEEN CROWN AND PARLIAMENT IN SCOTLAND—ECCLESIASTICAL FEATURES OF THE ROYAL VISIT—RISING INFLUENCE OF WILLIAM LAUD.

Any one who is familiar with the State papers, the correspondence, and the pamphlets of this period—with the raw materials of its history—becomes conscious of a vital change as he crosses the line between the two reigns. He is no longer with the garrulous egotist, obstinate in some matters, but infirm of purpose and easily entreated in others, impetuously proclaiming his absolute will, and then repenting or tiring of the protracted contest with opponents. There comes now a steady policy and a fixed purpose in all things. The subordinates are the same, and continue in pursuit of the same views and objects; but now they work under a leader who will carry them straight on to conquest, in the spirit which Strafford called "thorough." The Government is grave, resolute, and earnest. Every act tends onwards; and even when there

is a halt or a retreat, it is part of the strategy that is to lead more surely to victory. The opposite force is immediately conscious of the change. It is no longer the half-mocking obstinacy that baffled King James in his impetuous resolutions and profuse gifts which he could not make good. The opposition becomes as stern and as firm of purpose as the aggressive Government.

The contrast is far more distinct in Scotland than in England, for reasons of a very obvious character. There the action of the common law and the practice of Parliament had taken far deeper root in precedent and system than any constitutional organisations in Scotland, and were consequently less easily shaken. There, too, the ecclesiastical principles and practice which were to be forced on Scotland were in peaceful possession. Then the quantity of dubiously-fluctuating property which had arisen out of the dispersal of the Church revenues was still, apart from all other agencies, a distinct element of disturbance in Scotland. King James, with his personal peculiarities and humours, was an essential feature in the political state of Scotland, giving the final touch to the uncertainties and incoherences of its condition ; and when the political parties in his ancient kingdom found themselves in the hands of his grave son, it made something like a reversal of that dramatic arrangement which, after the audience have been saddened by the tragedy, restores them to cheerfulness by the drolleries of the farce.

The new king had not been two months in possession when the equanimity of the more zealous opponents of the old religion was disturbed by the news that he had brought home a Popish wife, Henrietta Maria, the daughter of Henry IV. of France.[1]

But this domestic event was only a brief interruption to an act of more distinct and formidable import. In the

[1] Row, the historian of "the Kirk," tells us : "It is very remarkable that the queen's mass, the pest of the soul, and a most raging pestilence killing bodies, came to London together. Oh that men had eyes in their heads to see, and hearts to consider, the Lord's ways !"—P. 339.

month of November the town of Edinburgh, and presently all Scotland, was stirred by a royal proclamation made in the usual form by heralds at the market-cross. It announced a general revocation by the new king of all grants by the Crown, and all acquisitions to the prejudice of the Crown, whether before or after his father's Act of Annexation in 1587. This was virtually the proclamation of that contest of which King Charles was destined never to see the end. It professed to sweep into the royal treasury the whole of the vast ecclesiastical estates which had passed into the hands of the territorial potentates from the Reformation downwards, since it went back to things done before King James's annexation. "Teinds," or tithes, as we have seen, were not named in King James's Act, but they were specified in King Charles's proclamation. He held that what the Crown had given the Crown could revoke; and the terms used by him were interpreted as a revocation, through the exercise of the royal prerogative, of those grants which had been fortified by a Parliamentary title in being confirmed by Acts of the Estates. This revocation swept up not only the grants made by the Crown, but the transactions, made in a countless variety of shapes, by which those in possession of Church revenues at the general breaking up, connived at their conversion into permanent estates to themselves or to relations, or to strangers who rendered something in return for connivance in their favour or for assistance in some shape to enable them to take possession. It was maintained, on the king's part, that the receivers of these revenues, which had belonged in permanence not to the men who drew them, but to the ecclesiastical offices to which they were attached, were illegal; and had this view been taken at the beginning, instead of standing over for upwards of sixty years, we, looking back upon it from the doctrines of the present day, must have pronounced it to be a correct view. The revenues of suppressed ecclesiastical offices are now held to belong to the nation, and are protected by Parliament from appropriation by greedy and powerful men.

The armed contest which broke forth twelve years afterwards has had so much more attraction for the world, that this, virtually the first act of war, has received scant attention; and therefore, whatever we can find to elucidate its immediate impression and influence is valuable. Sir James Balfour, an active courtier and statesman, calls it that revocation "of which the kingdom received so much prejudice, and in effect was the ground-stone of all the mischief that followed after, both to this king's Government and family; and whoever were the contrivers of it deserve, they and all their posterity, to be reputed by these three kingdoms infamous and accursed for ever."[1]

It was believed to be for the creation of a force to further this project that a revolution was effected on the bench by dismissals and new appointments. At the same time, in connection with sinister rumours about the feats of the prerogative in England, the king appointed a new tribunal in Scotland, to be called the "Commission for Grievances." It scarcely took sufficient root to be visible in history. Sir James Balfour says of it: "The wisest and best-sighted not only feared, but did see that this new commissional court was nothing else but the Star-Chamber Court of England under ane other name, come down here to play the tyrant, with a specious visor on its face. But after much debate between the nobility then at Court and his majesty thereanent, it being sorely cried out against by all honest men, it evanished in itself without so much as once meeting of the commissioners therein named."[2]

It was clear, from the spirit in which the revocation was received, that, as an act of the prerogative not backed by the Estates, it would be defied, and that in their present humour the Estates would not back it. The king fought for some time a harassing personal contest with those potentates whom it was of most importance to gain. The largest owners of ecclesiastical revenues were the houses of Hamilton and Lennox; and we are told that

[1] Annals, ii. 128.

[2] Ibid., ii. 131.

these were induced to give up revenues sufficient to endow the two archbishoprics, "by a secret purchase, and with English money," that a good example might be set to other owners of ecclesiastical revenues.[1]

In the year 1628 Lord Nithsdale was commissioned to deal with the chiefs of the powerful body who had acquired the ecclesiastical revenues. The following curious and emphatic story of his mission is told by Bishop Burnet:—

"Upon his coming down, those who were most concerned in those grants met at Edinburgh, and agreed that when they were called together, if no other argument did prevail to make the Earl of Nithisdale resist, they would fall upon him and all his party in the old Scottish manner, and knock them on the head. Primrose told me one of these lords—Belhaven, of the name of Douglas—who was blind, bid them set him by one of the party, and he would make sure of one. So he was set next the Earl of Dumfries. He was all the while holding him fast; and when the other asked him what he meant by that, he said, ever since the blindness was come on him he was in such fear of falling that he could not help the holding fast to those who were next to him. He had all the while a poniard in his hand, with which he had certainly stabbed Dumfries if any disturbance had happened. The appearance at that time was so great, and so much heat was raised upon it, that the Earl of Nithisdale would not open all his instructions, but came back to Court, looking on the service as desperate; so a stop was put to it for some time."[2]

Before absolutely believing in this savage story, we would require to have it on authority better than that of so arrant a gossip as Burnet, who was born about fifteen years after its period. But unless there had been reason for it in the temper of the men he speaks of, he would not have ventured to tell it.

The class to be affected by a resumption of ecclesiastical property was of course limited, and it will be proper to

[1] Burnet's Summary of Affairs before the Restoration. [2] Ibid.

look to the nature of the limitation. The project opened a tempting prospect for Churchmen; but the Presbyterian party had been increasing among the clergy, and they knew that the benefit of the resumption was not to be for them—rather it would give their adversaries strength to drive them out of the Church. The heirs to the wealth of the old Church nearly all belonged to the higher territorial aristocracy; hence the political distribution of Scots parties was anomalous. The aristocracy and the more plebeian party in the Church were arrayed against the Crown and the prelates. There was a severance rather of personal feeling and pecuniary interest than of political temper between the high aristocracy on the one hand, and the smaller gentry and members of the middle class generally on the other. By peculiar causes, which yet are quite simple when examined, the owners of the Church property had interests antagonistic to those of the ordinary owners and cultivators of the soil. The mixed class of small landowners and farmers—the parallel of the yeoman class in England—had increased and strengthened. Their small holdings had grown by degrees, and were the fruit of peaceful industry and frugal tending. These were not the class who had seized on the patrimony of the Church. When property changes hands by masterful confiscation, it is the strong-handed who obtain it. At the time of the Reformation the larger territorial aristocracy had the strength of the country in their hands, and so to them the prizes fell.

A large part of these revenues came in the shape of tithe drawn in kind—the tenth part of the produce of the land. Those lay lords who succeeded to these rights of the old Church were called "the titulars of the teinds," teind being old Scots for tenth, called in England tithe. This fund it was usual to call "the spirituality" of benefices, as a divine right inherited by the clergy from the Jewish dispensation, the separate estates enjoyed by the clergy being called temporalities. In many instances the possession of these separate estates made the titulars of the tithes also the lords-superior over vassals who had to pay the tithe, while, as the holders of Church estates, they

were not themselves subject to feudal dependence on the Crown.

It was maintained that, from the great power thus wielded by them, the lay titulars of the tithes were more rapacious and unreasonable in the exaction of their rights than the Romish clergy had been. It is ever so with grievances—that which men are enduring exceeds the traditional sufferings of prior generations. But the increased stringency in the exaction of the tithes since they had fallen into lay hands, was asserted in a very distinct manner by the king as a vindication of his conduct. He explained how the lay titulars "did use and practise the uttermost of that severity which the law alloweth them; how they would not gather their tithes when the owners of the corn desired them, but when it pleased themselves; by which means the owners, by the unseasonableness of the weather, were many times damnified to the loss of their whole stock, or most part of it."[1] And in a proclamation about the revocation, he explains that "his majesty's desire is to free the gentry of this kingdom from all those bonds which may force them to depend upon any other than his majesty; that the said teinds may no longer be, as they have been heretofore, the cause of bloody oppressions, enmities, and of forced dependencies."[2] The king's advisers thus found a class whose interests and influence already weighed, or might be made to weigh, against the great owners of the ecclesiastical estates.

The position of the king's servants in Scotland was at this point difficult and delicate. They had to advise them a lawyer of great skill, and full of resources professional and political—the same Thomas Hope who defended the Presbyterian members of the Aberdeen Assembly, and afterwards became a champion of the Covenant. The policy adopted by him was to threaten boldly, and act moderately against those who begged for terms. We have already seen it as a peculiarity in Scotland, that the forms of law applicable to small private transactions between

[1] Large Declaration concerning the late Tumults.
[2] Connell on Tithes, iii. 58.

man and man were applied for the accomplishment of great public objects. At this day, if the son finds himself deprived of his inheritance by a settlement which his father had no right to make, or which has been made with flaws or defects, he brings "an action of reduction" to have it denounced as waste paper. Sir Thomas Hope drew the "summons" or initial writ of an Action of Reduction against all the lay holders of ecclesiastical property; and the student of existing practice might be surprised to find how modern an air it has, and how closely it resembles in tenor its representative in the style-book of the nineteenth century. The position to be made good was formidable and comprehensive. It was the assertion of the sovereign, "having good and undoubted right to all Kirk lands within this kingdom, by Act of Annexation, as being universal patron of all abbacies, priories, and all other ecclesiastical benefices by the right of our crown, and being obliged by our oath to be given by us at our coronation in Parliament, &c., to maintain the hail lands and rents pertaining to the Crown and Kirk within the said kingdom, and so having just and necessary interest to pursue the action of reduction and improbation after specified, to the effect the patrimony of the Crown may be restored, the kirks sufficiently planted, colleges, schools, and hospitals sufficiently maintained, and the gentry of our kingdom relieved of the heavy burthens used against them in leading of their teinds."[1]

There was some stormy discussion about this hostile step. A deputation of the great men interested in resistance to it set off to lay their case before the king, but were stopped by his order when they had reached Stamford. They forwarded to the Court a memorial, which the king denounced as "of a strain too high for subjects and petitioners," and they were only permitted at last to appear before him as penitents and supplicants.[2]

It was now understood that against all who absolutely resisted a resolute battle would be fought. A commission

[1] Connell on Tithes, iii. 68.
[2] Forbes's Treatise of Church Lands and Tithes, 261.

was appointed to "deal" with those concerned—to sound them as to the compromise which they would accept as a final settlement of all claims and disputes. The policy of this device was, that through and through the whole mass of entangled titles and claims, each should give up something of that which was precarious for a secure and recognised title to the remainder. Again there was recourse to one of the remedies applicable to private disputes. If two dealers differ about the tenor of a transaction, and agree to submit it to the arbitration of a third party, they do so in Scotland by executing what is called a "submission." After much dealing, the various groups of persons who had each an interest in the mixed dispute about the revenues that had belonged to the Church, each agreed to a "submission" of their claims to the arbitration of the king. The whole affair now, of course, naturally dispersed itself into a collection of voluminous discussions resembling so many litigations. These discussions resolved themselves by degrees into certain prevalent principles. A proportion from the property in dispute was taken as a tax to the Crown, and a farther portion was assigned to the support of the clergy. The Crown insisted on establishing a feudal superiority over the whole property at issue, such as it had over all the lay property in the land; and this assertion, by the incidental feudal dues which would follow upon it, made a further addition to the revenue.

It would be wrong to omit one conclusion of these tedious transactions, which, whether by accident or sagacious design, accomplished an end in harmony with a cherished principle of the existing school of political economy. That an old permanent rent-charge on land does not participate in the nature of a tax, is a principle now current in so clear and decisive a form as to make us wonder how there ever should have been doubt or confusion about it. On the other hand, it is equally clear, that if the charge be not a fixed sum out of the rent, but a proportion of the produce, there is then a tax. If Agricola has a hundred acres of land for which he receives a hundred pounds a-year; and from time immemorial—

probably long before the earliest traces of his own title—Clericus has been entitled to ten of the hundred pounds,—the pecuniary situation is the same as if Agricola owned ninety of the acres and Clericus the other ten. But if the demand of Clericus be a tenth part of the produce, he taxes industry and capital. If Agricola, for instance, out of his gains by merchandise or professional industry, expend a thousand pounds in the drainage of the land, he has virtually to give a hundred pounds to the man who can take a tenth of the produce. If this claim on a tenth of the produce be arrested at any point of time, and commuted into a fixed charge equivalent to its value at this point of time, such a charge will gradually, as years pass, lose the character of a tax, until at last this character is extinguished.

One of the leading conclusions of this long process was, that the tithe was "commuted." It was thereafter to be a fifth part of the rent; so that a tenth part of the produce was held to be on an average twice the amount of a tenth part of the rent. The owners of tithable property were empowered to compel the titular to sell his right of tithe, or of a fifth part of the rent, as it now stood. The price to be paid for it was adjusted at nine years' purchase. At the present day this would be considerably less than half the value of a rent-charge; but out of the commuted tithe had to be paid the stipend or salary of the minister of the parish. Thus, just before the commencement of the great troubles of the seventeenth century, Scotland was relieved of a difficulty which infested the rest of the United Kingdom with discontents and squabbles down to the present generation.

The results of these multifarious proceedings were swept up into general conclusions, and ratified by the Estates at their meeting in 1633, at which, as we shall see, the king was present. This ratification resembles the general treaty that winds up a confusing series of diversified diplomatic communications and conferences. Among all parties to the arrangement—the king included—there was, up to the point of recognition by the Estates, only an understanding to further the arrangement. Many

members of the Estates were interested in the affair in one or other of the different relations in which the parties stood to each other, and as a body they considered themselves bound to give it that sanction which, whatever the king might think of the amplitude of his prerogative, was absolutely necessary to give the power of law to the adjustment.[1]

An invidious question here forces itself into notice by the vehement discussion it has caused, Was the adjustment final in the minds of the king and his advisers? From attempts, made at considerable intervals, to reach distinct conclusions through the bewildering mazes of the "Commission of Teinds" and "the submissions," the impression reached by me is, that the king and his advisers considered the settlement final as to the matters comprehended in it. The vast extent of hard work in detail, accomplished by a large and promiscuous body of men earnestly engaged, could scarcely have been encouraged as it was unless for the accomplishment of a practical and valuable object. The collection, arrangement, and recording of the minute details were all so many obstructions to any revocation of the settlement, by creating innumerable rights and claims which had been examined and admitted by those having authority to adjust them. It was the accomplishment, though not in his own way, of what the king afterwards said he intended—his prerogative act of revocation once acknowledged and dutifully obeyed, he was to deal forth magnanimous justice, flavoured with generosity, and to respect whatever partook of the nature of an equitable claim.

But over such secondary considerations must prevail the predominant force, that Charles was a fanatic who set certain objects before him to be accomplished at whatever cost and by whatever means; and if lulling suspicion were one of these means, however much it cost in labour and breach of faith, it was to be employed. True; but the question remains, whether all that he threatened in his proclamation came within the designs of his fanati-

[1] Act. Parl., v. 23-39.

cism. He determined to enlarge the exercise of the prerogative, and to mould the Church of Scotland on the model of the Church of England, if not even to bring it a step nearer to perfection. But was he also one of those who counted it to be sacrilege to permit that an acre of the lands or a coin of the money once dedicated to the Church should ever pass into the hands of a layman? We are not driven to this conclusion by his dealing with England. There, although the benefices of the secular clergy had not been swept off as in Scotland, princely estates had been raised out of the domains of the religious houses; and we have no warrant for adding a design for the restoration of these to the calamitous projects of his reign.

It is certain, however, that in Scotland there remained much uneasy suspicion that the last step in the disposal of the old ecclesiastical revenues had not yet been seen.[1] The recent rapid and comprehensive changes in the condition and ownership of property — changes far from satisfactory to all concerned—had probably a tendency to nourish restlessness and suspicion. To this King Charles refers in the vindication of his conduct which he issued at the commencement of the troubles. He announces his complaint by a very curious and characteristic definition of the laborious compromise which received the sanction of the Estates. The revocation, he says, at first caused alarm and discontent, "which we made account we had quickly rectified, by showing to all our subjects interested in that revocation our gracious clemency in waiving all the advantages which our laws gave us in many of their estates; so that after we had made it apparent to our subjects how obnoxious many of them and their estates were unto us and our laws, we likewise did make as apparent unto them our singular grace and

[1] A traveller passing through Edinburgh in 1635 says: "The clergy of late extend their authority and revenues." "And as I was informed by some intelligent gentlemen, it is here thought and conceived that they will recover so much of that land and revenues belonging formerly to the abbies, as that they will in a short time possess themselves of the third part of the kingdom."—Brereton's Travels, 100.

goodness, by remitting not only the rigour but even the equity of our laws; insomuch that none of all our subjects could then, or can now, say that they were damnified in their persons or estates by that our revocation, or anything which ensued upon it: yet for all this, the principal present malcontents did then begin to persuade with such as they thought they might be boldest with a disaffection to our government; and not seeing how they could obtrude upon them the old and usual pretence of discontent —viz., religion—by a strained and far-fetched inference, they did not stick to lay the envy of the procuring that harmless revocation, by which no man suffered, upon the present prelates, who in this were as innocent as the thing itself was."[1]

The Parliament of 1633, which completed the transactions about the Church property, afforded other matter of offence, both in the acts done and the method of doing them, and added the discontent of the minor barons and the burgesses to that of the greater men concerned in the ecclesiastical estates. An impost of the nature of an income-tax, which had been granted some years before as a special temporary aid to the king's brother-in-law, the Prince Palatine, was continued. It roused many grumblers, who called it an inquisitorial novelty; and, true to a feature of the national character, they complained that it exposed their poverty to the world.

It was observed, too, with some alarm, that the tactic of Parliamentary procedure had weak points which gave facility for the encroachments of the prerogative. We have seen that the Estates, though they consisted of distinct orders, were not divided into two houses like the English Parliament. Thus there was no separate representative body which, like the House of Commons, could withdraw itself from the collective assemblage of Parliament, and transact business in its own peculiar apartment, whence the king was excluded. We have seen that the Estates, as business accumulated on their hands, remitted the working out of details to committees. There thus by

[1] Large Declaration concerning the Late Tumults, 6, 7.

degrees arose a predominant committee called the Lords of the Articles, by whom the details of all general legislative measures were adjusted. When they had finished their work, they sent up the several measures to the whole House for a vote of adoption or rejection. It is visible at once that such an arrangement might be so worked as to despoil a majority of great part of its power. There was no opportunity for that useful apparatus of Parliamentary tactic, the "amendment." A member of the Estates was perhaps prepared to vote against certain clauses of a measure, had they been separately put to the vote; but he was not prepared to vote against the whole measure because of his opposition to these clauses. Of course this gave opportunity to dexterous politicians so to adjust the measures that they should carry through as much unpopular matter as they could safely be laden with. Hence the English Commons wisely adjusted their practice of transacting in committee of the whole House the kind of business that in Scotland fell into the hands of a select committee.

On the present occasion it appeared to suspicious onlookers that the precedence of the prelates, which had been treated somewhat as a vain show, was put to practical service by the Crown. The committee was to consist of eight from each Estate. Eight prelates were chosen by the nobles or greater barons, and of these, eight were in turn chosen by the prelates. This looked like an equal reciprocity, but it was not. Of the prelates there were but twelve present, so that the choice was limited, while the eight nobles were picked out of an attendance of more than sixty. And indeed had there been a wider choice among the prelates it would not have been material, for on the chief questions at issue they were all on one side. The sixteen thus appointed from the two higher Estates met, and selected eight from the lesser barons or representatives of the landowners, and eight from the burgesses or representatives of the municipalities.[1]

It was, and with some show of reason, asserted that

[1] Act. Parl., v. 9.

this ingenious arrangement put the selection of the committee of Lords of the Articles entirely into the hands of the prelates, since they could surely count on eight out of more than sixty of the nobles co-operating with them.

The "Supplication" prepared after the conclusion of the Parliament treated this arrangement as an innovation, since it had been the practice for each Estate to choose its own share of the committee, and for the persons so chosen to discuss the business freely with their constituents. They could not, however, state a practice supported by precedent with such precision that their account of it could not be contradicted from the other side; and here was an instance of the impulsive irregularity of procedure which opened the business of the Scots Estates to the interference of the prerogative.[1]

The king gave diligent attendance on the meetings of Lords of the Articles as they brought the several Acts to maturity. They were then brought up to be adopted or rejected by the Estates at large. For the first time in the history of the Scots Estates, we have distinct vestiges of a constitutional Parliamentary Opposition. A remonstrance was prepared and signed by several members, representing that the Committee of Articles were understood to be maturing measures, some of which were believed to be pernicious and oppressive, and desiring that there might be opportunity for a full discussion of

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[1] State Trials, iii. 606, 607. The method of electing the Lords of the Articles shifted from time to time in a manner too characteristic of Scots Parliamentary practice, when compared with the uniformity and adherence to precedent of the English. The arrangements in successive Parliaments are so indistinct that they provide matter rather for archæological inquiry than historical statement. On the present occasion, however, the method of election is distinctly entered on the record. That there was a different method in the Parliament attended by King James in 1617, may be inferred from what Archbishop Spottiswood says: "The king having closed, and the Lords gone apart to choose those that should be upon the Articles, the humours of some discontented lords began to kithe; for whosoever were by the king recommended as fit persons were passed by as men suspected, and others named who stood worse affected to his majesty's service."—P. 531.

their details in open Parliament.[1] But the Estates were assembled for their conclusive meeting before this document was fully signed and ready for presentation.

There was some discussion at the meeting, and the tactic of including provisions offensive to the Opposition in the same Act with others for which they were prepared to vote was censured. There was an Act especially which embraced two things—a general acknowledgment of the royal prerogative, which all readily accepted; and a provision for the apparel of Churchmen, about the application of which there were grave suspicions; the Act authorised the king to dictate the apparel, and we shall see how he used his power. The measure professed to be but a renewal of certain laws adopted in the reign of King James; but it was noticed that it embraced in one Act matters which had been then so separated that in the Supplication it is pleaded: "Your supplicants have great reason to suspect a snare in the subtle junction of the Act 1609 concerning apparel with that of 1606 anent your royal prerogative, which by a sophistical article should oblige us either to vote undutifully in the sacred point of prerogative, or unconscionably on Church novations."[2]

It was said at the time that in some votes the Opposition had the real majority, and that the Clerk-register, by order of the king, had made false entries of the divisions.[3] There is nothing of this in the Supplication; but then it begins with this curious reference to another rumour, that the king took notes of the speeches and votes: "That the notes which your majesty put upon the names of a number of your supplicants in voting about these Acts, which did imply a secret power to innovate the order and government long continued in the Reformed Church of Scotland; and your majesty's refusing to receive from some of your supplicants their reasons for dissenting from the said Acts before your majesty and in your hearing in Parliament, [did tend]

[1] See the Remonstrances in Row's History, 364.
[2] State Trials, iii. 606.
[3] Row, 367.

to breed a fear of our becoming obnoxious into your majesty's dislike, if your highness should still remain unacquainted with the reasons of our opinions delivered concerning the said Acts."[1]

The document here cited is called "The humble Supplication of a great Number of the Nobility and other Commissioners in the late Parliament." It was not presented to the king, or at all events it was not read by him; but it had a separate and eventful history of its own, as we shall presently see. Meanwhile we may close the account of this Parliament with the emphatic character given to it by Sir James Balfour: 'In short, of thirty-one Acts and statutes concluded in this Parliament, not three of them but were most hurtful to the liberty of the subject, and as it were as many partitions to separate the king from his people. This Parliament was led on by the Episcopal and Court faction, which thereafter proved to be that stone which afterwards crushed them in pieces, and the fuel of that flame which set all Britain afire not long thereafter."[2]

Measured by the events that are to follow, this Parliament seems a matter of small moment or interest—a scene of petty jealousies and misunderstandings likely to be blown away and forgotten. But in reality it is the mark of a critical epoch. For the first time in our History there opens a quarrel between the Crown and the Estates of Parliament, and each returns from the discussion in surly menace, importing a farther and more determined trial of strength. That there never had as yet been a trial of strength between the two powers, had an obvious reason—on the side of the Crown such a contest was utterly hopeless. Whether that was a good form or a bad form of government where the Estates of Parliament were supreme, and the sovereign only their head and the proclaimer of their determinations, is a question in political philosophy. But so it was that the States had the chief ruling power, and now the Crown was preparing to invade it.

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[1] State Trials, iii. 604.

[2] Annals, ii. 200.

Apart from the discussions in the Estates, the clergy of the High Presbyterian party brought up a protestation of their own grievances. It was presented to the king, who handed it to some one in attendance, and it seems to have been heard of no more. As it denounced all the innovations in the Church since the days of its purity under the Melvilles, its tenor may be inferred from the preceding narrative. The remonstrants, among minor matters, desired that they might "be freed from foul aspersions of nicknaming," because they had been nicknamed as "Puritans"—a term then recently imported from England. Their general conclusion was: "We have no General Assemblies; our provincial assemblies and presbyteries are so confused that no good is done; corrupt doctrines publicly vented in pulpits and schools without any restraint or censure; atheism, Popery, and profanity grows exceedingly; ignorant and debauched ministers are tolerated; the godly learned and painful are grieved and persecuted; commissioners—voters in Parliament—lie untried and uncensured."[1] The meaning of this last grievance is, that members of Parliament were not made responsible to the ecclesiastical courts for their votes and general conduct as legislators.

These affairs occurred during a long-looked-for visit by the king to the country of his birth. He entered Scotland on the 12th of June 1633. He had with him a brilliant train, which, counting servile attendance as well as the nobles and officers of State, amounted to above one hundred and fifty persons. Of these, far more significant than all the rest of the troop were two bishops—one of whom was Laud. The pageantries for the occasion appeared to have been much more gorgeous than any previously offered in Scotland even to royalty, for the country had thriven in half a century of peace. It was said, however, that in emulation of the splendour of their English visitors, the Scots gentry spent more than they could well afford, and thus added a feeling of impoverishment to the causes of discontent which crowded on the inaus-

[1] Row, 358; State Trials, iii. 607.

picious event. The ceremony of the king's coronation passed with great state and solemnity in the Abbey Church of Holyrood House. He who had the principal part in the marshalling of all the ceremonies of the occasion, the Lord Lyon, tells us: "Because this was the most glorious and magnifique coronation that ever was seen in this kingdom, and the first King of Great Britain that ever was crowned in Scotland, to behold these triumphs and ceremonies many strangers of great quality resorted hither from divers countries."[1]

Through all the magnificence of the scene there were visible to acute observers some things, small in themselves, but full of evil portent, like the skeleton at the feast. We find them noticed with a regretful eye by Spalding, who was no Presbyterian, but a Cavalier from the north. His sympathies were with Prelacy; but they were conservative sympathies, desiring that what was well should be let alone. "Now," he says, "it is marked that there was ane four-neuket taffil [four-cornered table] manner of ane altar standing within the kirk, having thereupon twa books at least resembling clasped books, called blind books, with twa wax chandeliers, and twa wax candles whilk was un-

[1] Balfour's Works, ii. 199. Sir James left two documents descriptive of the ceremonies which it was his official duty to organise and superintend: "The order of King Charles entring Edinbrugh in stait at the West Port, and his march throughe the toune to Holyrudhouse, 15th Junii, anno 1633;" and "The memorable and soleme Coronatione of King Charles, crowned King of Scotland at Holyrudhouse the 18th Junii 1633" (Works, iv. 354 *et seq.*) Both papers are formal official records of the ceremonies, with especial reference to the marshallings and precedencies. They are thus as dry as a Court gazette, but they must be very valuable to the special students of Court ceremonies. It will be seen that the man who gives himself dutifully to the courtly pomps and ceremonies which are the business of his office, is the same who has left his sharp censure of the conduct of the Court. With this solemn official record it may be of interest to compare the account of the whole given by a humble but acute outside observer, John Spalding, the town-clerk of Aberdeen. He describes how in his progress through the town the king was assailed by seven successive speeches, "which haill orations his majesty with great pleasure and delight, sitting on horseback as his company did, heard pleasantly" (Memorials of the Troubles, i. 32 *et seq.*)

lighted, and ane basin wherein there was nothing. At the back of this altar, covered with tapestry, there was ane rich tapestry wherein the crucifix was curiously wrought; and as these bishops who were in service passed by this crucifix they were seen to bow their knee and beck, which, with their habit, was noticed, and bred great fear of inbringing of Popery, for whilk they were all deposed, as is set down in these papers. The Archbishop of Glasgow and remanent of the bishops there present who was not in service changed not their habit, but wore their black gowns without rochets or white sleeves."[1] The Archbishop of St Andrews and four bishops did "the service" "with white rochets and white sleeves, and copes of gold having blue silk to their foot."

Another narrator puts on the picture this additional touch, that when the Archbishop of Glasgow, who had no rochet, stood at the king's left hand to partake in the ceremony, "Bishop Laud took Glasgow and thrust him from the king with these words, 'Are you a Churchman, and wants the coat of your order?'"[2]

Accompanying the commissary clerk of Aberdeen, we find him, with the greedy curiosity naturally attracted by any new and alarming phenomenon, telling how the king went to the Church of St Giles, "and heard John Bishop of Moray teach in his rochet, which is ane white linen or lawn drawn on above his coat, above the whilk his black gown is put on, and his arms through the gown-sleeves, and above his gown-sleeves is also white linen or lawn drawn on, shapen like ane sleeve. This is the weed of archbishops and bishops, and wears no surplice; but Churchmen of inferior degree in time of service wear the same, which is above their claiths—ane syde [long] linen cloth over body and arms like to ane sack.

"The people of Edinburgh, seeing the bishop teach in his rochet, whilke was never seen in St Giles's Kirk since the Reformation, and by him who sometime was ane of their own town's Puritan ministers, they were

[1] Spalding's Memorials of the Troubles, i. 36.
[2] Rushworth, ii. 182.

grieved, and grudged thereat, thinking the same smelt of Popery."[1]

These things gave a substantial meaning only too distinct to the vague Act authorising the king to readjust the robes of the clergy. It was the first great act of war in the contest about "the whites," as the correspondence on the English side terms the rochet of the bishop and the surplice of the priest or presbyter. It might be called a small matter; but if so, why press it with such virulent determination on those who would none of it? The recusants, however, satisfied themselves that it was not a small matter. The character of the innovation startled the eye. A change from black to white—it was almost equivalent to a shifting from gravity to frivolity, and courted inquiry. This was rewarded by the discovery that the innovation was associated with abjured abominations. It was not as a mere colourless raiment, one of the showy idolatries into which the Church of Rome had lapsed; but it was something worse. The Presbyterian clergy, pursuing inquiries to help them in the controversial maintenance of their standards, found, as is the wont of Churchmen, that the arrangements impulsively adopted by them in the confusion of the Reformation were precisely those which the standards of truth, when deliberately examined, required of them. They found that the Church of Rome had not only lapsed into its peculiar idolatry, but that it had preserved within its practice many of the rites of the heathen priests of old. Among these "the whites" were found to be the robes of the priests of Isis, and were thus among the abominations from which the children of Israel had sought refuge in the desert. So it came to pass that as this was the point on which the Scots Presbyterians were most resolute in resistance, so was it that on which King Charles and his advisers were most resolute on conformity.

He and his evil genius returned to London towards the end of July, leaving behind them a goodly store of combustible materials all ready for the torch which was to be

[1] Spalding's Memorials of the Troubles, i. 39.

thrust in among them. Their first work was to put to good use the blank power which the Estates had conferred on the king as to the apparel of Churchmen; and a warrant was sent down which, among other things, directed "that the lords archbishops and bishops shall, in all churches where they come in time of divine service or sermon, be in whites—that is, in a rochet and sleeves—as they were at the time of our coronation; and especially whensoever they administer the holy communion or preach. And they shall likewise provide themselves a chymer—that is, a satin or taffeta gown without lining or slevees—to be worn over their whites at the time of their consecration. And we will that all archbishops and bishops aforesaid that are of our Privy Council or of our Session shall come and sit there in their whites, and maintain the gravity of their places. And for all inferior clergymen we will that they preach in their black gowns; but when they read divine service, christen, bury, or administer the sacrament of the Lord's Supper, they shall wear their surplices."[1]

It was determined at Court to strike a blow that would frighten the opposition gradually gathering in Scotland. There had been, as we have seen, a Supplication. This inferred grumbling or complaint; and perhaps some actionable matter might be found in it. The Supplication had been prepared by William Haig of Bemerside. It was handed to Lord Balmerinoch, who, after revising it, passed it over to Lord Rothes for presentation to the king. The king had given directions to those about him not to present to him any insolent or unbecoming applications, and Rothes was troubled about the view that might be taken of the Supplication. He tried to sound the king before determining, and got from him the not assuring answer, "My lord, ye know what is fit for you to represent, and I know what is fit to me to hear and consider; and therefore do or do not upon your peril."[2] He tried the policy of treating the Supplication as worthy of suppression, and yet giving the king an opportunity of

1 Act. Parl., v. 21.

2 State Trials, iii. 629.

seeing it if he desired so to do. The dialogue between them is thus given: "'Sir, there is a petition given me presently to be looked upon and considered, which I have in my pocket, which I have, according to your majesty's command, suppressed; if your majesty be pleased to look upon it?' to which his majesty answered, 'It is no matter —I have no leisure—I am going to the park.'" The paper was then returned to Balmerinoch, with the opinion that it would be dangerous to present it.

If a prosecution were raised, it would be for "leasing-making," or uttering a document tending to render the sovereign and his Government odious—the offence more generally known as political libel. For such a prosecution it was necessary to establish that the document had been shown to some one, and it was not difficult to find one who had seen it as revised by Balmerinoch and interlined in his hand. Haig, the draughtsman of the paper, when he saw the coming storm, escaped to Compvere, and it fell on Balmerinoch alone.

The Supplication was a short paper, with the heading, "To the king's most excellent majesty, the humble Supplication of a great number of the nobility and other commissioners in the late Parliament." Its phraseology is throughout as respectful and deferential as the language of the day could render it. The two strongest passages are those already quoted—the one as to the coupling measures together so as to compel a vote either for the acceptance or the rejection of both, the other as to the king's attendance and taking notes. The latter, which is the really serious point, is approached with so much timidity that the passage about it, as cited above, will be found to be hesitating and obscure. It involved what in England would have been termed a breach of privilege, and was a forecast of those tamperings with the English House of Commons which had so disastrous an end. The Scots Estates had ever held a haughty independence of the Crown, even so far that they counted the royal assent to a measure by touching it with the sceptre as a mere act of courtesy not necessary to give the force of law to the Acts of the Estates. There is something

grotesque, after reading the mild and decorous Supplication, to find it characterised in the indictment thus: "Whilk scandalous, odious, and seditious libel did not only seditiously, reproachfully, and outrageously tax our sacred person in our behaviour at Parliament, but also contains many points and purposes of false calumnies, public scandals, and reproaches against us, our estate and government, depraving our laws and Acts of Parliament, and misconstruing our just and glorious proceedings in our first Parliament."

The following passage, in a tone new to Scots ears, is instructive as an announcement of Charles I.'s views of sovereignty: "Albeit by the law of God and laws of all nations the person of the supreme and sovereign prince is and ought to be sacred and inviolable, and he ought to be reverenced, honoured, and feared as God's lieutenant on earth; and that all subjects are bound and tied in conscience to content themselves in humble submission to obey and reverence the person, laws, and authority of their supreme sovereign;—yet the said unhappy and infamous libel, in the first entry thereof, begins with an outrageous upbraiding and taxing of our sovereign lord's majesty of a point of injustice or indiscretion in our behaviour at Parliament, for putting of notes (as the said infamous libel alleges) upon the names of a number of our subjects who did vote contrar to the Acts of our Church government passed in Parliament, whilk is ane fearful thing in ane subject, to pry into the gesture of his sovereign in his supreme court, and upon a gesture without speech to infer a ground of exprobation and reproach to the sovereign prince."[1]

The trial was protracted by long pleadings founded on the doctrines of the civilians, and the report of it is like an interminable academic disputation. Besides the Justinian laws themselves, a host of commentators are brought up. We have not only the illustrious names of Bartolus and Baldus, who gave more law to Europe than any monarch that ever reigned, but a string of such less noted

[1] State Trials, iii. 597, 598.

names, as Cravetta, Muretus, Galesius, De Castro, Labio, and Menochius. Nothing might at first thought seem fairer than to found such a prosecution on the cold logic of the old civilians—nothing could more effectually refute any imputation that the law was made for the occasion; and yet no professional ingenuity could have contrived a new law better fitted for the object in view. The old Roman law *de libellis famosis* had been inverted by a power outside the law. The only way in which the Roman could publish his libel was by passing the manuscript from hand to hand. The apparatus for publicity was now the press; and it was then beginning to teem with those thousands of controversial pamphlets, every one of which was a libel in the eyes of those who were chastised by it. The handing about of a written paper gave the inference of privacy rather than publicity; and in fact the Supplication had only been shown with extreme caution. It was pleaded that the document was intended for the royal eye alone; but to this there was a ready answer—its promoters themselves had, on mature consideration, decided that it was a document of too outrageous a character for presentation to the sovereign.

All the conditions attending this prosecution show a consciousness in its promoters that they were treading on very dangerous ground. Each step in it was taken with hesitation, after dubious councils. Hence it stretched from the summer of 1634 into the spring of 1635, the accused lying all the while in prison. The jury, according to the practice of Scotland, numbered fifteen, deciding by a majority. They stood eight to seven, being a majority of one for a conviction. After further hesitation and consultation, the end was that a royal remission or pardon was granted to Balmerinoch. But this act of mercy brought the king and his advisers no favour or credit. The feeling was that they dared not execute the sentence, and that the threats, humiliations, and personal captivity to which they had subjected one of a fierce and proud aristocracy were so much substantial oppression and injustice, which would have gone much farther had

it not been arrested by imbecility rather than justice or generosity.

A zealous Presbyterian annalist assures us that during the trial "the common people avowedly, with loud and high-lifted-up voices, were praying for Lord Balmerinoch, and for all those that loved him and his cause, and prayed for a plague to come upon them that had the blame of his trouble."[1] Bishop Burnet hints at a more formidable feeling, telling that when the trial came to an end, "many meetings were held; and it was resolved either to force the prison to set him at liberty, or if that failed, to avenge his death both on the Court and on the eight jurors—some undertaking to kill them, and others to burn their houses. When the Earl of Traquair understood this, he went to the Court, and told the king that the Lord Balmerinoch's life was in his hands, but the execution was in no sort advisable; so he procured his pardon."[2]

Some other incidents were overshadowed by the importance of this prosecution. A new Episcopalian diocese was created: it included that part of the diocese of St Andrews stretching from the Forth to the Border; and the see was in Edinburgh, the Church of St Giles being the cathedral. William Forbes, the first Bishop of Edinburgh, was consecrated in 1634.[3] In 1635, Lord Kinnoul,

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[1] Row's History, 384.

[2] These threatening symptoms are repeated by Malcolm Laing in language of greater strength and expressiveness; and other writers, following his authority, have heightened the colours. I have taken Burnet's own words, as he is the only authority I can find for the suspicion or fear of an outbreak. He was not born till eight years afterwards, but he mentions good opportunities possessed by him for becoming acquainted with the story he tells. "My father," he says, "knew the whole steps of this matter, having been the Earl of Lauderdale's most particular friend. He often told me that the ruin of the king's affairs in Scotland was in a great measure owing to that prosecution; and he carefully preserved the petition itself and the papers relating to the trial, of which I never saw any copy besides that which I have. And that raised in me a desire of seeing the whole record which was copied for me, and is now in my hands."—Summary of Affairs before the Restoration.

[3] The charter of erection will be found at length in Keith's Catalogue of Scottish Bishops, p. 28.

the Chancellor, died. Since the Reformation laymen had ever been appointed to the office; but now it was thought significant of the prevailing policy, that John Spottiswood, Archbishop of St Andrews, became also Lord High Chancellor. The king thus gave the Churchmen, in a substantial shape, the precedence, which, according to an anecdote current at the time, the old Chancellor, Kinnoul, had resisted.[1]

It was of more moment to Scotland, however, than the appointment of a clerical chancellor or the erection of a new diocese, that presently after the king's return to England, William Laud was made Archbishop of Canterbury. Heretofore he had meddled in the affairs of Scotland: he now dictated the ecclesiastical policy of the country; and with him the ecclesiastical policy was supreme over the civil. He evidently entertained no project for asserting the ecclesiastical supremacy of the Archbishop of Canterbury over the hierarchy of Scotland. He was the king's minister, adviser, and organ as to ecclesiastical affairs, those of Scotland included; and he acted as a statesman rather than a prelate. His function was like that of a colonial secretary, who communicates the instruc-

[1] The story was, that the king had required by warrant that the Primate should have precedence over the Lord Chancellor, and he especially desired that effect should be given to this order at his coronation. As the settling of the precedence was in the Lord Lyon's department, the story will be best told in his own words: "I remember that King Charles sent me to the Lord Chancellor the day of his coronation, in the morning, in anno 1633, to show him that it was his will and pleasure—but only for that day—that he would cede and give place to the archbishop; but he returned by me to his majesty a very bruisk answer, which was, that since his majesty had been pleased to continue him in that office of Chancellor, which his worthy father of happy memory had bestowed upon him, he was ready in all humility to lay it down at his majesty's feet; but since it was his royal will that he should enjoy it with the known privileges of the same, never a stoled priest in Scotland should set a foot before him as long as his blood was hot." The king took this with an easy good-humour not habitual to him in matters of the kind, which were of vital moment in his eyes: "When I had related this answer to the king, he said, 'Weel, Lyon, let's go to business. I will not meddle further with that old cankered gouty man, at whose hands there is nothing to be gained but sour words.'"—Balfour's Works, ii. 142.

tions of the home government to the governor of a colony. In a long dictatorial letter to the Archbishop of St Andrews, we have his plan for checking all local action about ecclesiastical matters in Scotland until he shall have been informed of what is suggested, so that he may send down instructions for the guidance of all concerned. The arrangement is thus explained:—

"You are immutably to hold this rule, and that by his majesty's strict and most special command—namely, that yourself, or the Lord Ross, or both of you together, do privately acquaint the Earl of Traquair with it before it be proposed in public, either at the council-table, or the Exchequer, or elsewhere; and the earl hath assured the king in my presence that he will strictly observe and hold the same correspondency and course with you; and further, that he will readily do all good offices for the Church that come within his power, according to all such commands as he shall receive, either immediately from the king, or otherwise by direction of his majesty from myself. And if at any time your lordships and my Lord Traquair shall upon any of the forementioned business so differ in judgment that you cannot accord it among yourselves, let it rest, and write up either to his majesty, or to myself to move his majesty, for further directions, which, once received, you are all to obey." But under this high dictatorial tone there is a consciousness of danger to those who thus plotted to supersede the responsible government of Scotland; and there comes this further instruction: "His majesty precisely commands that this mutual relation between the Earl of Traquair and you be kept very secret, and made known to no other person, either clergy or laity."[1]

Another specimen of Laud's dictatorial dealing with the Scots prelates has an interest in itself, as rudely handling a point that was becoming very tender among the English Puritans and their sympathising brethren among the Presbyterians of Scotland. This point was the ascetic observance of Sunday or of the Lord's Day. A thing had

[1] Rushworth, ii. 314, 315.

occurred which, as he said, had "displeased the king, and not without very just cause:" "The new Bishop of Aberdeen hath given way to and allowed a public fast throughout his diocese to be kept upon the Lord's Day, contrary to the rules of Christianity and all the ancient canons of the Church. I was in good hope that Church had quite laid down that ill custom; but since the new Bishop of Aberdeen hath continued it, and perhaps others may follow his example if this pass without a check, therefore his majesty's express will and command to your grace is, that you and my Lord Glasgow take order with all the bishops in your several provinces respectively, that no man presume to command or suffer any fast to be upon that day, or indeed any public fast upon any other day, without the special leave and command of the king, to whose power it belongs, and not to them."[1]

If it be asked how men holding a high position in Scotland were so treacherous to the old national spirit as to submit to this dictation from their official brother in England, the answer is, that the Scots bishops were entirely in his power so long as he was right-hand man to the king. They had no public spirit or strong party to support them at home. If they resisted Laud, they must desert the prelatical party and go over to the enemy. A portion of his power, on which we must not lay uncharitable stress, was the ecclesiastical patronage. All who sought promotion in the higher grades of the Church must seek it through him; and we find him lecturing expectants, accordingly, much as a millowner or a merchant would let applicants for an advance know that their fortunes depend on their giving satisfaction to their employer. We would say that in these things Laud showed a vulgar mind, did we not know that it was a mind so engrossed in its own visions and projects that it was impervious to good taste as it was to discretion.[2]

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[1] Rushworth, ii. 315.

[2] Thus to Bellenden of Dunblane: "His majesty hath heard that there have been lately some differences in Edinburgh about the sufferings of Christ, &c., and that your lordship was some cause of them,

We find the two archbishops and some of their brethren offering the following obeisance to their great patron, with, as it will be seen, a gentle hint not to drive them too furiously onward: "As we have found your grace's favour, both to our Church in general and ourselves in divers particulars, for which we are your grace's debtors, so we are to entreat the continuance thereof in this and our common affairs. We all wish a full conformity in the churches, but your grace knoweth that this must be the work of time. We have made, blessed be God, a farther progress than all have here expected in many years by his majesty's favour and your grace's help; and hope still to go farther if it shall please God to continue your grace in health and life, for which we pray continually." [1]

As the spirit of this restless priest has henceforward a distinct influence over the turbulent history of which we are now on the threshold, a word on his objects and tendencies may not be out of place. The feeling among the Scots Presbyterians and the English who leaned to Puritanism was, that he was working for the old Church

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or at least such an occasion as might have bred much disturbance, if the late Bishop of Edinburgh his care and temper had not moderated it; and that his majesty is not well pleased with neither: and this hath been the cause, as I conceive, why his majesty hath passed you over in this remove; and you shall do very well to apply yourself better both to his majesty's service and the well ordering of the Church, lest you give just occasion to the king to pass you by when any other remove falls. I am very sorry that I must write thus unto you, but the only way of help lies in yourself and your own carriage; and therefore, if you will not be careful of that, I do not see what any friend can be able to do for you." Afterwards there are words of comfort for him: "I am very glad to hear your resolutions for the ordering of his majesty's chapel-royal, and that you are resolved to wear your whites, notwithstanding the maliciousness of foolish men. I know his majesty will take your obedience and care very well." To Maxwell of Ross he says: "Whereas you write that some which have promised and protested fair to me concerning the Church, have in all judicatories since your last return gone against the Church, I pray you name them, for I am loath to mistake persons; and then I shall not spare to acquaint the king with what they do."—Hailes's Memorials and Letters, Charles I., 6-16.

[1] Prynne's Hidden Works of Darkness brought to Public Light, 146.

against the Reformation. This may be held so far to be correct, that he endeavoured to draw the Church towards Romanism, but not towards Popery. He seized his opportunity, as we shall find, to tinge the rites and ceremonies of the Church of England with those doctrines —such as the real presence and the efficacy of the intervention of saints — to which the Protestant spirit was antagonistic. He loved all the splendid pageantry and decoration in which the old Church luxuriated, and he left substantial memorials of his magnificence in ecclesiastical architecture and decoration. But he certainly had no desire to subject the Church of England to the Bishop of Rome. If a Pope reigned over spiritual England, it was to be from Lambeth, not the Vatican. One of the strange and unwelcome portents recorded in his Diary is that unpleasing dream that he was reconciled to the Church of Rome. The restoration of the Papal power was among the obvious dangers attending on his innovations. And when the dreams of indigestion visited his pillow, they brought the dreaded calamity home to him, as the Alpine wanderer dreams at night that he is slipping into one of the abysses which he has contemplated with admiring awe in the sunshine.[1]

[1] "March 8 (1627), Thursday, I came to London. The night following I dreamed that I was reconciled to the Church of Rome. This troubled me much, and I wondered exceedingly how it should happen. Nor was I aggrieved with myself only by reason of the errors of that Church, but also upon account of the scandal which from that my fall would be cast upon many ancient and learned men in the Church of England. So being troubled at my dream, I said with myself that I would go immediately, and, confessing my fault, would beg pardon of the Church of England. Going with this resolution, a certain priest met me, and would have stopped me. But, moved with indignation, I went on my way. And while I wearied myself with these troublesome thoughts, I awoke." Close to this in his Diary he records another dream of the same physiological character, but differing widely in form: "I dreamed that I was troubled with the scurvy, and that on a sudden all my teeth became loose; that one of them—especially in the lower jaw—I could scarce hold in with my finger, till I called out for help," &c.

CHAPTER LXVIII.

CHARLES I.

PREPARATIONS FOR AGGRESSION — THE BOOK OF CANONS ECCLESIASTICAL—PASSED WITHOUT ECCLESIASTICAL AUTHORITY—REFERENCE TO AUTHORISED VERSION OF SCRIPTURE—LOST BOOK OF ORDINATION—THE FORM OF WORSHIP IN SCOTLAND—DELIBERATIONS ON AMENDING THE BOOK OF COMMON ORDER—NEW LITURGY PREPARED BEFORE LAUD'S—EXAMINATION OF ITS TENOR—COMPARED WITH BOOK OF COMMON ORDER AND LAUD'S LITURGY — SHAPE AND EXTENT IN WHICH THE BOOK OF COMMON ORDER CONTINUED IN USE—RISE OF A PARTY INIMICAL TO FORMS OF WORSHIP—PREPARATION OF "LAUD'S LITURGY"—QUESTION HOW FAR COUNTENANCED BY ANY ECCLESIASTICAL PARTY IN SCOTLAND — EXAMINATION OF THE EVIDENCE AS TO LAUD'S SHARE IN IT—LAUD AND PRYNNE — LAUD'S ULTIMATE DESIGNS—OFFENSIVE SHAPE IN WHICH THE BOOK PRESENTED—CHARGE OF HORNING.

We now approach the crisis in which this spirit of meddling and dictation raised a reactionary spirit so powerful as to crush it. Two crowning acts of dictation were perpetrated in succession; and although that which came first in order has been almost forgotten in the political storm which immediately attended the other, yet in substance it is hardly less important and significant. In 1636 a document was issued called "Canons and Constitutions Ecclesiastical, gathered and put in form for the government of the Church of Scotland, ratified and approved by his majesty's royal warrant, and ordained to be observed by the clergy and all others whom it may concern."

In the correspondence of the day, some of the Scots bishops appear as if busying themselves in the preparation of these canons. But there is a consistency of purpose, a lucid order, and a unity of composition throughout, seeming like the work of one hand, and that the hand of a master. That Laud had an opportunity for recasting the whole as he pleased is shown in the short warrant by the king: "Canterbury, I would have you and the Bishop of London peruse the canons which are sent from the bishops of Scotland, and to your best skill see that they be well fitted for Church government, and as near as conveniently may be to the canons of the Church of England. And to that end you, or either of you, may alter what you shall find fitting; and this shall be your warrant."[1]

The canons, as a piece of literary composition, are adapted to their purpose with a close approach to perfection, and, as a scheme of prelatical polity, might be well

[1] Prynne's Hidden Works, 152. Prynne found this warrant when searching for evidence against Laud. His theory for its existence is, that Laud had obtained it after the issuing of the canons as a justification of his interference, and notes in confirmation of this that there is no date to the warrant, and that it is in the handwriting of Laud's secretary, "Master Dell." Whoever desires to consult the original canons will find that they are most easily to be got in a very suggestive place—in the collected works of Archbishop Laud, printed in the "Library of Anglo Catholic Theology" (vol. v. 583). The original edition, printed at Aberdeen in 1636 by Edward Raban, is very rare, and so is a reprint in Edinburgh in 1720. I have found the Book of Canons referred to by recent writers in such a manner as to show that they cannot have read it.

While the document fell into obscurity, another, which was its companion, has entirely disappeared from literature. It was called the "Book of Ordination." Laud tells how it was discovered that under the arrangement of King James in 1620 there were two defects, one of them being that the order of deacons was made a lay office, "at which his majesty was much troubled, as he had great cause, and concerning which he hath commanded me to write that either you do admit of our book, or else that you amend your own in these two gross oversights" (Prynne's Hidden Works, 153). There is no doubt that, as amended, the book was printed. Row says, "In the year 1636 the bishops caused print a Book of Ordination" (p. 391). It is criticised in Spang's Historia Motuum, "Animadversiones in Librum Ordinationis Episcoporum, Presbyterum, et Diaconorum" (p. 229).

balanced against the Presbyterian model framed by Melville in the Second Book of Discipline. There is throughout a tone of reverend piety suited to the occasion, which yet never overloads the composition so as to render the practical precepts to which it is directed in any way obscure. Those who expected to find in the book the marks of the Popish Beast deeply imprinted were probably disappointed. It begins with a denunciation of all foreign and usurped authority in the Church, and levels excommunication against any who affirm "that the king's majesty hath not the same authority in causes ecclesiastical that the godly kings had among the Jews and Christian emperors in the primitive Church." A large proportion of the book is given to the conduct and carriage of the clergy, conveying admonitions towards decorum and a Christian life. There is no place in the organisation for assemblies, presbyteries, or any other form of Presbyterian action. The disputed points of religious observance are briefly dealt with, and, even on such matters of deadly quarrel as the kneeling at the sacrament, with good taste and feeling, thus :—

"Superstition and profaneness are both of them extremities to be avoided; as therefore the adoration of the bread is condemned, so the unreverend communicating and not discerning of those holy mysteries must be eschewed. Therefore it is ordained that the holy sacrifice of the Lord's Supper be received with the bowing of the knee, to testify the devotion and thankfulness of the receivers for that most excellent gift."

However far precepts like the following were at variance with the practice of the clergy of the day, it may be questioned whether they would be in themselves universally unacceptable to their congregations :—

"Albeit the whole time of our life be but short to be bestowed in the service of God, yet seeing He tempereth that work to our weakness, it is ordained that preachers in their sermons and prayers eschew tediousness, and by a succinct doing leave in the people an appetite for farther instruction, and a new desire to devotion."

One clause, not in itself perhaps likely to arrest the

attention of a casual reader, has so remarkable a reference to peculiarities in the history of Scots devotion, that it must not pass unnoticed. It provides that each church shall have a Bible and prayer-book at the charge of the parish: "The Bible shall be of the translation of King James; and if any parish be unprovided thereof, the same shall be amended within two months at most after the publication of this constitution."

Perhaps in Scotland more thoroughly than in any other part of the British empire, the "authorised version" has been exclusively reverenced as the only true version —as the Bible itself. Yet this version has never been authorised or adopted in preference to others by any ecclesiastical authority in Scotland. Anything standing on the records of the Church of Scotland which can be called an adoption of one version in preference to others, is older than the English authorised translation. In 1574 the General Assembly gave its countenance to the edition of the Geneva version printed in Edinburgh by Bassendyne. The members resolved themselves into an association for promoting the sale of the book, and required that every beneficed clergyman should buy a copy of it for his church.[1] It was to be called "the common book of the kirk, as a most meet ornament for such a place, and a perpetual registrar of the Word of God, the fountain of all true doctrine, to be made patent to all the people of every congregation, as the only right rule to direct and govern them in matters of religion, as also to confirm them in the truth received, and to reform and redress corruptions wheresoever they shall spring up."[2] In 1601 the Assembly find it rumoured "that there were sundry errors that merited to be corrected in the vulgar translation of the Bible," and direct that "every one of the brethren who has best knowledge of the language employ their travails" in the correction of these errors, and report the result to the Assembly.[3]

Thus we may hold that whatever countenance from

[1] Book of the Universal Kirk, 327, 328.
[2] Ibid., 443. [3] Ibid., 970.

authority had been given to the Geneva version was revoked; but it was transferred to no other, so that no translation of the Bible has ever been an "authorised version" to Scotland.

In the words of one who knew more about the devotional literature of Scotland than any other man of any period, "no law either of the Church or State has ever prescribed the use of any particular translation of the Scriptures in Scotland."[1] Hence we are driven to the conclusion, that the only place where the version of the Scriptures so absolutely adopted by general assent had the sanction of an authority professing to be ecclesiastical, was in the abjured canons attributed to Laud. The consideration is here inevitably suggested, that had these canons not been buried in oblivion—had they been matter of public contest and criticism, like the Service-book—the natural result would have been, that the "authorised version" of the Bible would have been abjured and denounced throughout Scotland, as having been adopted and certified by the Erastian Privy Council of King James, and thrust upon the country by his tyrannical son and the Popish Primate of England.

The version which had prevailed in Scotland for some years held its ground. Scotland took her Bible, as well as her form of worship, from the favoured fountain of Geneva. It rather strengthened than relaxed the preference for the book, that Laud endeavoured to suppress it in England, where it was popular among the Puritans; and though censured, as we have seen, from authority, it continued to be used both by the populace and the learned.[2] It was not until it came to be forgotten that

[1] Memorial for the Bible Societies in Scotland (p. 13), by the late Principal Lee. He could not, of course, as a Presbyterian, acknowledge any authority in King Charles's Canons.

[2] Principal Lee, with curious industry, traced out the following instances in which it had been cited by Scots authors appealing to Scriptural authority: "William Cowper, Bishop of Galloway—whose 'Dikaiologie' was printed at London in 1614, and his 'Triumph of a Christian' in 1615, and whose collected works were printed there in 1629—continued to the last to use the Geneva version in his quotations, and in the texts of his sermons. In the sermon en-

the "authority" for the "authorised version" was both alien and Erastian—the command of the king and the English Council—that its superior merit, aided perhaps by its more easy purchase as a book widely circulated in England, gave it by degrees its present hold on Scotland.

But to return to the Canons. Of infinitely greater moment than their substance was the authority whence they come forth. In this it may safely be said that they stand alone among the State papers of Christian Europe. Whoever may have given personal help in their preparation, they were adopted by the King, and were as much his sole personal act as if he had penned them all alone in his cabinet, and sent them as a despatch to those who were to obey their injunctions. On no record of ecclesiastical

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titled 'Spiritual Marriage'—preached at Westminster 1626 by James Baillie, A.M., and printed at London 1627, dedicated to nine peers and seven other courtiers, all of the Scottish nation—the author quotes Scripture from the Geneva version in every page, as in Rom. xi. 25, 'Partly *obstinacy* is come to Israel;' Rom. xi. 22, 'If thou continue in His *bountifulness;* Heb. xii. 33., 'The *congregation* of the firstborn.' In the same manner Mr William Struthers, minister of Edinburgh, who is always characterised by Calderwood as a servile follower of the Court, quotes the Scriptures from the same translation in his 'Christian Observations,' and in his 'Resolution for Death,' both printed at Edinburgh in 1628. Thus, Phil. i. 21, 'Christ is to me, both in death and in life, advantage;' 1 John, iii. 14, '*Translated* from death to life.' We find the Geneva translation also used in Boyd's 'Last Battle of the Soul,' printed at Edinburgh in 1629. It is generally followed in the 'Exposition of the Lord's Prayer,' by Mr William Wischart, parson of Restalrig, printed at London 1633; and when this writer adopts another version, it seems generally to be one of his own. John Abernethy, Bishop of Caithness, in his treatise entitled 'Physicke for the Soule,' printed at London 1630, a quarto volume, abounding in quotations from Scripture, appears always to have used the Geneva version, as Jer. vi. 14, 'They have healed also the hurt of the daughter of my people *with sweet words;*' Phil. ii. 12, '*Make an end of* your own salvation with fear and trembling;' Eccles. vii. 5, '*Anger* is better than laughter.' And so late as the year 1639, the celebrated Alexander Henderson, in preaching before the General Assembly at Edinburgh, reads a long text from the Geneva Bible, as appears from the proceedings of that Assembly, still extant in manuscript. It has been already mentioned that the Psalms in prose printed by Bryson in 1640 are according to that version."—Lee's Memorial for the Bible Societies in Scotland, 89-92.

council or other deliberative body is any trace of their formation or adoption to be found. They were not even encumbered with those formalities of passing seals or going on the records of official departments, which are sometimes a wholesome interruption to the rash projects of despots, by inducing faithful servants humbly to remonstrate, or, as in the instance of the Parliament of Paris, exciting resistance. What in practical business the issuing of the canons most nearly resembles, is the issuing of a general order by the commander-in-chief of an army. There had been, no doubt, abrupt and peremptory documents directed to clergymen in the "injunctions" of Henry VIII. and his daughter. But these were acts rather of clerical police, as giving directions for obedience to the law, than of actual legislation.

A complete code of laws for the government of a Church, issued by a sovereign without official consultation with the responsible representatives of that Church, is unexampled in European history. In all constitutional monarchies the phraseology used about the supremacy of the sovereign would be utterly misunderstood by any one who should read it without seeking its interpretation in practice. A British Act of Parliament is the doing of the sovereign, "with the advice and consent" of the two Houses; but we all know the actual process by which a statute is made. The monarch of England was supreme in Parliament and in the Church; but the boundary of this supremacy was the veto rendering the consent of the Crown necessary to any act performed by either.[1] In

[1] The chief code of ecclesiastical law in England is recognised by the title of "The Constitution and Canons Ecclesiastical, agreed upon, with the King's licence, by the Convocation of the Province of Canterbury in 1603, and published for the due Observation of them by his Majesty's Authority under the Great Seal of England." It was one of the charges against Laud, that he got certain canons voted by convocation without due deliberation and discussion, "many of which canons, by the said archbishop, were surreptitiously passed in the late convocation without due consideration and debate. Others, by fears and compulsion, were subscribed unto by the prelates and clerks there assembled, which had never been voted and passed in the convocation as they ought to have been."—State Trials, iv. 418.

Scotland the supremacy of the Crown in the Church was on the records of Parliament; and we have seen how far King James professed to extend it theoretically during his visit of 1617. Yet immediately afterwards, to give sufficiency to his favourite "Five Articles of Perth," the Government obtained for them the sanction first of a General Assembly, and next of the Estates.

Even the obsequious Heylyn, the spirit of his priestly order dominating alike over his adulation of royalty and his hatred of Puritanism, muttered certain doubts and difficulties about these canons. The Scots, he said, complained of them as Erastian and prelatical, and as "subjecting the whole nation to the discipline of a foreign Church." But according to his own opinion, "juster cause they seemed to have for disclaiming the said Book of Canons, because not made nor imposed upon them by their own approbation and consent, contrary to the usage of the Church in all times and nations." Then explaining how canons and constitutions ecclesiastical "were to be advised and framed by bishops and other learned men assembled in a general council, and testified by the subscription of such bishops as were then assembled," he continues: "And though it could not be denied but that all Christian emperors, kings, and princes reserved a power unto themselves of ratifying and confirming all such constitutions as by the bishops and clergy were agreed on, yet still the said canons and constitutions were first agreed on by the bishops and clergy before they were tendered to the sovereign prince for his ratification."

For this departure, however, by those whom he devoutly followed, from the proper orthodox faith, he seems to find some consolation in contemplating it as a punishment or retaliation on the Scots Presbyterians for their assertions of independence: "The Scottish Presbyters had formerly disclaimed the king's authority either in calling their Assemblies or confirming the results thereof, which they conceived to be good and valid of themselves without any additional power of his to add strength unto them. And therefore now they must needs think themselves

reduced to a very great vassalage in having a body of canons so imposed upon them, to the making whereof they were never called, and to the passing whereof they had never voted. But as they had broke the rules of the primitive Church by acting sovereignty to themselves without requiring the king's approbation and consent in the times foregoing, so were they now upon the point of having those old rules broken upon them by the king, in making canons and putting laws and orders on them for their future government, to which they never had consented."[1]

The course suggested by Heylyn—that of the ecclesiastical authorities framing canons for the royal sanction—was exactly the course which the Scots prelates themselves anticipated. In the Aberdeen Assembly of 1616, where their influence predominated, it was resolved, "That there be ane uniform order of Church discipline throughout all the kirks of this kingdom; and to that effect it is statute and ordained that a book of canons be made, published, drawn furth of the books of former Assemblies; and where the same is defective, that it be supplied by the canons of councils and ecclesiastical conventions in former times." The Archbishop of Glasgow, with the assistance of William Struthers, minister in Edinburgh, was to make a draft of the canons, to be revised by commissioners, "to whom power is given to try, examine, and after their allowance and approbation thereof, to supplicate to his majesty that the same may be ratified and approved by his royal authority."[2] Whatever humiliation the prelates may have felt on seeing their authority usurped by one man, and he an English prelate, they had to endure it all in silence; for they were in the position of those who have no friends. The powerful aristocracy were their bitter enemies, and a democratic party equally hostile to them was waxing in size and strength.

It would be an error to suppose that all who took part with the Cavaliers against the Covenanters supported or

[1] Life of Laud, 303. [2] Book of the Universal Kirk, 1128.

approved what the king and Laud were doing. James Gordon, a member of a cavalier family, who might come within his own definition as a sober man, who rather favoured the bishops, thus expresses himself about the canons: "This Book of Canons, which had the same common parents as the Service-book, felt the like fate; and sober men thought that by such a damnatory sentence it got but justice. The informality of its introduction was notorious; and for the strain thereof, many who understood both deemed that it resembled a Boniface, a Gregory, or a Clement sitting in the Vatican of Rome, compiling their decretals or Clementines or Extravagants. For many sober ministers, who otherwise favoured the bishops, were startled with these canons, and thought them grossly extravagant, as betraying a too great neglect of all the Church in the introduction of them, and a too great usurpation of power to themselves in the canons there set down. . . . The Book of Canons being overthrown, the next book which was brought to the test was the Book of Ordination, another whelp of that same litter with the two former."[1] One of these "former" is the Service-book, of which presently. The "Book of Ordination" has dropped out of literature and history, no copy of it being now known to exist.[2]

We have now seen how the elements of personal and national exasperation were thickly sown throughout Scotland. They were the tampering with the powers and privileges of Parliament, the encroachments of the prerogative, the Prelacy and religious ceremonials which shocked the Presbyterians, the coercive conformity to the institutions of England which outraged the national feeling, and, most substantial and effective of all, the extraction from the grasp of the aristocracy of a portion of the old ecclesiastical revenues, and the suspicion that the remainder would follow; for, whether well founded or not, such a suspicion still existed, and was keenly felt.[3]

[1] History of Scots affairs, by James Gordon, Parson of Rothiemay, ii. 92.

[2] See above, p. 105, note

[3] The commissary-clerk of Aberdeen, a provincial legal practitioner,

It is by the events connected with the step we have now reached—the attempt to enforce the Service-book—that the whole quarrel is best known, just as some great battle is more familiar to the public memory than the war of which it was the crisis.

This crisis arose, as all people moderately acquainted with British history are aware, from an attempt to enforce, through the royal prerogative, a prayer-book on the Scots people, or rather on the congregations of the churches in Scotland. This resistance deserves, and must receive, a minute narration. In the mean time it may be of use to offer some explanation in reference to a current opinion, that the wrath of the people against the prayer-book in question was caused by a settled antipathy or conscientious abhorrence of a liturgy, or any established form of prayer. The arrangements for Presbyterian worship in Scotland, now more than two hundred years old, have made this a natural supposition; but it is a mistake. A prayer-book was at that time used in Scotland; and the quarrel arose, not on the question of commanding the people to worship according to an adjusted form, but on the question of compelling them to abandon their own form and adopt another prepared for them in a suspected quarter. The book of forms of worship, which speedily after the Reformation had been issued on the model of

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conversant in tacks and teinds, and, like all his class, inquisitive and knowing about the incomes of the landed gentry and the sources from which they came, expressed this cause of distrust very distinctly in his own technical way: "This point touching the bishops they could not forget, fearing they were counselling the king to draw in the Kirk lands to the Crown, and to make up abbots and priors again, to the strengthening of the king and overthrow of the nobility, who had the most part of their living of Kirk lands. 2d, They had great fear who were the lords of erections at his majesty's general revocation in his first Parliament—ordinar for kings to do from time to time—albeit they received no prejudice thereby. 3d, For granting in the same Parliament ane commission of surrenders of superiorities and teinds, grounded for helping of the ministry and relief of the laity, living yearly under the bondage of the lords of erection and laik patrons. Of this Act of Parliament they were under great fear, albeit his majesty's intention was singularly good and much to be praised." —Spalding's Memorials of the Troubles, i. 77.

the Huguenot prayer-book of Geneva, was still in use, and came to be named the Book of Common Order and the Psalm-book, though it is now better known by its popular title as Knox's Liturgy.[1] In the fragments we have of the business transacted by General Assemblies there are traces of attempts to alter it, which were not effectual; so that down to this period it had not been touched by any Church judicatory. In the Assembly of 1601, where the Geneva translation of the Bible was censured as containing errors, it was suggested, "As also that there was sundry prayers in the Psalm-book whilk wald be altered, in respect they are not convenient for the mean time." The resolution on this was: "It is not thought good that the prayers already contained in the Psalm-book be altered; but if any brother would have any other prayers eked whilk are mete for the time, ordains the same first to be tried and allowed by the Assembly."[2] This followed up the spirit of the original book, in which there were "prayers used in the time of persecution by the Frenchmen," and afterwards "a thanksgiving for our deliverance, and prayers for the continuance of peace."

Had any additions been made in conformity with this hint, they would no doubt have been levelled against the prelatical projects of King James. The latest that we hear of the Book of Common Order, before it was superseded by the Directory of Worship, was in a proposal, in 1641, to revise it, along with the Confession of Faith, and at the same time prepare a catechism. This task was referred to Alexander Henderson, who, after looking at it, said he found it a work far surpassing his strength. "Nor could I," he continues, "take upon me either to determine some points controverted, or to set down other forms of prayer than we have in our Psalm-book, penned by our great and divine Reformer."[3]

The Assembly which sat in Aberdeen—the stronghold of the prelatical party—in 1616, ordained "that ane

[1] See chap. xlix. [2] Book of the Universal Kirk, 970.
[3] Baillie's Letters, ii. 2.

uniform order of Liturgy or divine service be set down to be read in all kirks on the ordinary days of prayer, and every Sabbath-day before the sermon, to the end the common people might be acquainted therewith, and by custom may learn to serve God rightly." That this did not point to the establishment of a liturgy, but to the improvement of one in use, is shown by what follows in the appointment of a committee "to revise the Book of Common Prayers contained in the Psalm-book, and to set down ane common form of ordinary service to be used in all time hereafter, whilk shall be used on all time of common prayers [in all the kirks where there is exercise of common prayers], as likewise by the minister before the sermon where there is no reader."[1]

The term "Liturgy" had not previously been in use to express a form of prayer in Scotland. It must be remembered, however, that although the Assembly of 1616 probably did not nourish any innovation approaching that of the Service-book of 1637, their Acts as an Assembly were afterwards repudiated, and they were treated as prelatical usurpers, who had interrupted the government of the Church according to the legitimate Presbyterian order. There are traces in the celebrated Assemblies of Perth in 1618 that this committee was actually at work.[2] According to Fuller, the book was completed and transmitted to King James, who revised it; and "it was remitted, with the king's observations, additions, expunctions, mutations, accommodations, to Scotland again."[3] Here any traces of the project that can be called contemporary drop. We only know that the affair was not zealously pressed, and may believe that King James was withheld by a sense of timidity or caution.

There is in the British Museum a manuscript prayer-

[1] Book of the Universal Kirk, 1128.

[2] Book of the Universal Kirk, 1157. A true Narrative of all the Passages of the Proceedings in the General Assembly of the Church of Scotland, holden at Perth, &c., by Dr Lindsay, Bishop of Brechin, 69.

[3] Book xi. §§ 94-97.

book, which I believe to be the Liturgy thus framed, and finally transcribed for the press. It is so written out in a fine Italian hand, as to show the printer the proper place for each line. There is a note on it in the writing of the time, that it was the Service-book intended for Scotland before Laud took the affair into his own hands.[1]

The date of this final transcript can be closely approached by internal evidence. A prayer for the royal family, naming Charles as king, desires that the queen may become "a happy mother of successful children." The king was married in 1625, and his eldest son was born in 1630.

This book has no litany, and it is rather an enlargement of the old Book of Common Order, than an adaptation of the English Book of Common Prayer. One of its chief novelties is the appointment of Lessons for the day, in a calendar appointing the portion of Scripture to be read on each. It is so adjusted that the Old Testament shall be read once in each year, except a few chapters, which, being "less for edification, are left to the private reading of families." The New Testament, with the exception of the Apocalypse, was to be read thrice every year.

In this enlargement of the Book of Common Order, it seems to have been the object of the compilers to give effect to the precepts regarding worship or service to be found in the expressed standards of the Scots Church. Thus the service for the burial of the dead is nearly a repetition of the words in the First Book of Discipline: "Burial hath in all ages been held in regard, to declare that the body which hath been committed to the earth doth not utterly perish, but shall rise again in the last day. Therefore must the corpse be reverently brought to the grave," &c.

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[1] The title is: "The Book of Common Prayer and Administration of the Sacraments, with other Rites and Ceremonies of the Church of Scotland." "As it was sett downe at first, before the change thereof made by the Archb. of Canterburie, and sent back to Scotland." The title is carefully penned to resemble what it will be in print. The explanatory note is in the ordinary writing of the day.

In the communion there was a departure from the Huguenot form of sitting at a board, and an approach to the English form, which in itself was a compromise between the board, and the altar consecrated apart in the East: "The Order for Administration of the Lord's Supper or Holy Communion.—The table whereat the communion is to be received being covered with a white linen cloth, shall stand in that part of the church which the minister findeth most convenient; and als soon as the minister enters into the pulpit, such as attend upon the ministration shall present the elements covered, and set them upon the table. For besides that by the Word and prayer they are sanctified to the holy use whereunto God hath appointed them, the doctrine of Christ's death will affect and move the people the more easily when they see those holy signs which represent Christ crucified unto us."

Effect was given to the Huguenot doctrine, that baptism and marriage were to be celebrated as part of the day's service, in token of admission into the congregation. The marriage was "before God, and in the presence of this His congregation." On baptism there is a precept, that "it is most convenient that baptism should not be ministered but upon Sundays, and other days when most numbers of people may come together, as well for that the congregation then present may testify to the receiving of them that be newly baptised into the number of Christ's Church, and also because that in the baptism of infants every man present may be put in remembrance of his own profession made to God in his baptism. Nevertheless, if necessity so require, the minister is not to refuse baptism at any time or in any place."

Although this prayer-book never came in use, and passed not only into obscurity, but absolute oblivion, if it be, as the author believes, the form of worship deliberately adopted by the leaders of the Church of Scotland, and submitted to the sovereign for his acceptance, it is not unworthy of the attention it has here received. It is of moment, if for nothing else, in its points of difference from that Service-book which wrought the first act in the

civil war. It shows how far even the prelatic party in Scotland would have gone, and thus lets us see how much farther Laud determined that they should be dragged. We shall see how closely he was practically concerned in furthering the eventual Service-book. There is a general impression that this book was the work of the Scots prelates, who only received from the Archbishop of Canterbury the support to which their sound principles naturally entitled them. But when we get among the documents and discussions of the time, we see little or nothing of the Scots bishops. If they did anything, it seems to have been in slight modification of Laud's workmanship; and this naturally responds to the fact, that they who knew their country better than the English primate, were themselves the authors of another and a safer liturgy.[1]

To set the eventful "Service-book" in its right place in our story, we have still to deal with another book of prayers, which served also as a practical measure of the distance to which Laud desired to carry the country in his own direction. We have already seen the history of the Book of Common Order.[2] As "Knox's Liturgy" it is pretty well known in the present day to those who are curious in the history of the sixteenth century, both through reprints and historical notices; but that the devotional parts of it were printed and used by the people down to the sitting of the Assembly of Divines at Westminster, and the adoption of the "Directory of Worship," has not come so prominently forward. Complete copies

[1] In the first edition of this history, I thought it desirable, for the benefit of other searchers, to explain how certain difficulties in finding the way to this manuscript might be overcome; such advice has become unnecessary since the publication of a small volume with the title, 'Scottish Liturgies of the Reign of James Sixth, by the Rev. George W. Sprott, B.A. 1871.' The services of the editor of this volume to the edition of the Book of Common Order have been referred to in the part of this history dealing with the Reformation settlement in the Regency of Murray. In these two volumes Mr Sprott has given us a learned and complete history of the devotional literature of Protestantism in Scotland, down to its reconstruction by the Assembly of Divines.

[2] Chap. xlix.

of the Liturgy, whether under the name of the Book of Geneva, or the Book of Common Order, are rare, though several editions of it were printed at Geneva, London, Middelburg, Edinburgh, and Aberdeen. The book was a volume of considerable size for the period, and costly. We can suppose that each clergyman and the richer members of his congregation possessed a copy, but that it was beyond the means of the poorer sort. For the use of the congregation at large, however, there was a diminutive volume not above three inches long, containing the devotional part of the book, and known by the name of the Psalm-book.[1] These small prayer-books, though probably in their day much more numerous than the larger, are now far more rare. They have suffered the natural fate attending on the books of devotion used by the people—books which are put in the cheapest available form, and are therefore not deemed worthy of sedulous preservation. A note of the contents of this tiny volume may be instructive. We find in them "The Confession of Faith;" "A Confession of our Sins;" "The Order of Baptism;" "The Administration of the Lord's Supper;" "The Form of Marriage;" "A Prayer commonly used before the Sermon;" "Morning Prayer;" "Evening Prayer;" "The Psalms in Sternhold and Hopkins' Version;" a few hymns, among which are the Lord's Prayer, the Apostles' Creed, and the Ten Commandments, versified and set to music; "The Lamentation of a Sinner;" "Veni Creator;" "The

[1] The title of one edition of the smaller book is, 'The Psalms of David in Prose and Verse, with an exact Kalander. The Order of Baptisme and Marriage, Morning and Evening Prayer, and other Godly Prayers. Edinburgh, printed by Robert Bryson, and are to be sold at his shop at the sign of Jonah.' The latest known copy of this book under this title is dated in 1644. It was immediately afterwards superseded by the Directory; but down to that time Bryson seems to have issued an edition every year. In 1635 an edition was printed at Aberdeen by Raban, with "the common tunes in four parts, in more perfect form than ever heretofore, together with the tunes to the whole Psalms, diligently revised and amended by the most expert musicians in Aberdeen." For a list of the various known editions, both of the larger and of the smaller volume, see Sprott and Leishman's Reprint, 237.

Song of Simeon, called Nunc Dimittis;" and "The Song of the blessed Virgin Mary, called Magnificat." There is a calendar, "with a rule to find Easter for ever;" and it occasionally contains the commemoration-days of a few saints whose names are not found in Scripture, as St Bernard, St Lawrence, and St Martin.

Thus for nearly a hundred years the Church of Scotland possessed and used a liturgy similar to that which had been adopted in Geneva and used by the Huguenot churches in France. It was, as we have seen when noticing its adoption, a far simpler liturgy than the English Book of Common Prayer.[1] It had also a looser hold on the clergy. All the authority it had was from an ecclesiastical organisation, which, as we have seen, was ever shifting. The Book of Common Order was never confirmed by the Estates, while the Book of Common Prayer was over and over again confirmed by elaborate Acts of Parliament, "for the uniformity of common prayer

[1] See above, chap. xlix. The following is a very clear, and to all appearance accurate, account of the Sunday service in any considerable congregation where there was both a minister and a reader: "The bell having been rung an hour before, was rung the second time at eight o'clock for the reader's service. The congregation then assembled, and engaged for a little in private devotion. The reader took his place at the 'lectern,' read the Common Prayers, and in some churches the Decalogue and Creed. He then gave out large portions of the Psalter, the singing of which was concluded with Gloria Patri, and next read chapters of Scripture from the Old and New Testaments, going through in order any book that was begun, as required by the First Book of Discipline. After an hour thus spent, the bell rang the third time, and the minister entered the pulpit, and 'knelt for private devotion.' He then began with a 'conceived' prayer, chiefly for 'illumination,' as in other Reformed Churches. He next preached the sermon, and then read or repeated one of the prayers in the Liturgy for all conditions of men, or extemporised one 'conform' to it, concluding with the Lord's Prayer and the Creed. After this there followed a psalm and the benediction. Between 1618 and 1638 the usage continued, with these differences—that in some parts of the country the minister's salutation was lengthened into a preface; there was an additional prayer and psalm before sermon at the morning service, and the Lord's Prayer was used at the end of the prayer before sermon; the recital of the Creed was omitted by many of the clergy."—Sprott's Introduction to Book of Common Order, xxxiii, xxxiv.

and service in the Church, and administration of the sacraments."[1]

There was no absolute uniformity in the editions either of the larger or the smaller Scots Prayer-book; and those who published it were so far at freedom that sometimes it was decorated with literary attractions of a merely secular and popular kind.[2]

But the Church jealously checked any variation affording a suspicion of intentional tampering with doctrine. We may find instances of the clergy, even in the act of restoring their Presbyterian organisation, thus counting the book their own charge for which they were responsible,

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[1] It does not affect this distinction, that an Act of the Estates in 1579 enjoins that "all gentlemen householders and others with 300 merks of yearly rent or above, and all substantious yeomen or burgesses, likewise householders, esteemed worth 500 pounds in lands or goods, be halden to have a Bible and Psalm-book in vulgar language in their houses, for the better instruction of themselves and their families in the knowledge of God."—Act. Parl., iii. 139. Although the Book of Common Order was popularly called the Psalm-book, the demand of the Act would be fulfilled by a book containing the Psalms alone. Gillespie, when he denounced all liturgies, and especially Laud's, thus admitted too much when he said of the Book of Common Order, "Ought not that rather to be imposed than any other, seeing it is already established by Parliament now of a long time?"—Cited, Sprott, xxix.

[2] As, for instance, in the calendar, admonitions for social and sanatory conduct during each month, rendered in rhyme, thus:—

> "March in man's body breeds humours great,
> And divers dolours that dangerous be;
> Then give good heed to that ye shall eat,
> Yet bleed and bathe with modesty.
>
> In June abstain from drinks new and sweet.
> Be merry, and recreate yourself withall.
> Use wholesome herbs, for so it is meet;
> But take no medicine, whatsoever befall."

The Assembly found in 1568 that their favourite printer, Bassendyne, had printed at the end of one edition a song called "Welcome Fortune," the moral character of which they denounce by an adjective excluded from modern literature. It was ordered that he cancel the song; "and farther, that he abstain in all time coming from farther printing anything without licence of the supreme magistrate, and revising of such things as pertain to religion by some of the Kirk appointed for that purpose."—Book of the Universal Kirk, 100. A copy of the Book of Common Order containing the song of "Welcome Fortune" would be a prize which no collector has yet gained.

although it was so soon to be superseded by the Directory of Worship.[1]

Although, however, the Church had adopted and still retained the Book of Common Order, it was not used in every congregation. In England a party had arisen who were antagonistic to all fixed forms of worship, and they had sympathisers in Scotland. They were among the mixed body called Sectaries, Puritans, and Brownists. Brown himself, who had begun his career in profligacy, came to Scotland in his regenerate days, but received no welcome reception from the zealous Presbyterians.[2] They attacked him in their Church courts as a heretic; and at the time when they were fighting for existence, they were indignant that the civil power would not crush him and his "accomplices," as his disciples are called.[3] This little group, unpopular and soon forgotten, left seed in the hearts of the Presbyterians of Scotland, and half a century afterwards the Brownist separatists or novators were a considerable body. We shall find that they were strong enough to be a troublesome minority to the Presbyterian party in their hour of triumph; while in England they

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[1] So, in the renowned Assembly of 1638, the great question about kneeling at the communion having come up, it is noted that "as some things were cited out of the treatise before the Psalm-book printed at Aberdeen 1625, where prayer is made against 'hireling Papists that God would confound them.' In these that are printed at Aberdeen, 'Papists' are left out. In one other prayer these words 'the Romish idol' are left out in reading. Then Dr Guild in Aberdeen desired that the printer might make accompt of it, who had been the occasion of that."—Peterkin's Records, 168.

[2] Calderwood says: "Upon Thursday the 9th of January (1584) an Englishman called Robert Brown came to Edinburgh out of Flanders. He landed at Dundee, and having gotten support there, he came to St Andrews, where he purchased a letter of recommendation from Mr Andrew Melville to Mr James Lawson. There came in company with him four or five Englishmen with their wives and families—this Brown was their preacher." He gave offence by attacking the form of baptism in the Book of Common Order as authorising "witnesses" or godfathers: "Upon Tuesday the 14th he made show, after an arrogant manner, before the session of the Kirk of Edinburgh, that he would maintain that witnesses at baptism was not a thing indifferent but simply evil, but he failed."—Calderwood, iv. 1.

[3] Calderwood, iv. 2.

were a portion of the great allied body of dissenters, who, under the name of Independents, were acquiring irresistible strength.

Thus the enemies of the Prayer-book were a far larger proportion of the English people than the enemies of the Book of Common Order were among the Scots. But there was between the two groups a material difference, which was destined to exercise a mighty influence on the future of both countries. In England, where the Prayer-book was sanctioned by the statute law, those who objected to it must go outside the Church; in Scotland this was not necessary. We thus meet with traces of congregations among whom the book was not in use. On the other hand, it arose out of the same easy dealing that some congregations preferred the English Prayer-book to the Book of Common Order, and used it unmolested.

How a liturgy existed, and was in general use, yet was not a matter of rigid form, is well expressed in the following description, attributed to one who helped to suppress it, and to put the Directory in its place. He is vindicating the Church of Scotland from certain aspersions to which it was subject in England, and of these the second in order is, "That they had no certain rule or direction for their public worship, but that every man, following his contemporary fancy, did preach and pray what seemed good in his own eyes." To this the vindicator says: "Against the second, the form of prayers, administration of the sacraments, admission of ministers, excommunication, solemnising of marriage, visitation of the sick, &c., which are set down before their Psalm-book, and to which the ministers are to conform themselves, is a sufficient witness; for although they be not tied to set forms and words, yet are they not left at random, but for testifying their consent and keeping unity, they have their Directory and prescribed order."[1]

[1] The Government and Order of the Church of Scotland, Edinburgh, 1641—Address to the Reader. This little book is attributed to Alexander Henderson. Mr Sprott, in the introduction to the Book of Common Order, says: "Though anonymous, and written as if by an Englishman, there can be no doubt that Henderson was

What we see through all this is, that the contest which arose was not against all fixed forms of worship, but against a particular form and the manner of its introduction. One small incident provides a closely-fitting illustration of this conclusion. On the morning of that day memorable by the outbreak against the Service-book, the old Scots Book of Common Order had been read in peace, according to usage, in the same church where the riot broke forth.[1] Sinister rumours had for some time been breathed about, that this simple ritual which lay so lightly on the people was displeasing in high places, and was to be superseded. When the Book of Canons came forth, what was a rumour became a certainty; and it was fully believed that the novelty was to be forced upon the people of Scotland by external coercion, and was to assume a shape offensive alike to the religion professed by the Scots people and to their national pride.[2]

The actors in this project were not brought before the

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the author" (p. xxx). It is an extremely clear exposition; and as the best account of the government and worship of the Church of Scotland at this critical juncture, one is surprised that it has not been reprinted in later times, and remains a rarity little known. It has been observed that we may mark in it a coincidence with the Directory of Worship, leading to the conclusion that Henderson was the chief author of that Presbyterian Canon.

[1] "When the next Sabbath, July 23, came, the Bishop of Edinburgh, *after that the ordinary prayers had been read in the morning*, about ten o'clock brought in the Service-book to the pulpit."—Row, 408.

[2] One able man, in a state of political and ecclesiastical transition —a supporter of existing conditions in Church and State, but induced by the innovations to turn against them—says, writing to a friend while as yet nothing had occurred: "In the mean time some copies of the book goes from hand to hand. Some of the unconform party makes it their text daily, to show the multitude of the Popish points contained in the book—the grossness of it far beyond the English; the way of the imposing of it, not only without any meeting either of Church or State, but contrar to standing laws both of Church and State; in a word, how that it was nought but the mass in English, brought in by the craft and violence of some two or three of the bishops against the mind of all the rest, both of church and states men. These things did sound from pulpits, were carried from hand to hand in papers, were the table-talk and open discourse of high and low."—Baillie's Letters, i. 17.

world until the time of disclamation and recrimination had come. There are two accounts of the preparation of the Service-book by those who could speak to it fully. One of these, the king's Larger Declaration, is throughout virtually a pleading of counsel. The other comes from Laud; but he had taken to whining and shuffling before he told his story at his trial. He pleaded his threescore years and ten, and the life of troubles he had led, as impairing his memory and his intellect, so as to disable him from explaining his conduct and vindicating its uprightness. True, his life had been one to try a constitution. Although a minister of the Gospel of peace, he had given himself to the fierce struggles and devouring anxieties that beset the leader in a mortal contest, where he must crush or be crushed. The fatal alternative had come, and the whole fabric of his ambition was tottering. His enemies, too, in their hour of triumph, harassed him sore and showed him little mercy. Yet the old man could turn and bite as opportunity came. From the nature of his career one cannot but believe that he was a fanatic who regarded not the laws of human forces and probabilities, but believed that powers more than human would intervene to carry out his projects. Yet he would have left a less doubtful reputation for sincerity had he showed in his adversity the counterpart of that haughty imperious zeal which burned in him in his hour of triumph. But he was humble and apologetic, and therefore is scarce to be trusted when he transfers the odium from himself to others. It was not for the national insult offered to Scotland in forcing on the country a liturgy from England that he had to defend himself, but against the symptoms found in the book of a tendency to Romanism. Hence he pleaded that he had himself desired the simple extension of the English Book of Common Prayer to Scotland —it was the Scots prelates who would have variations on it, and these variations were the causes of offence in England. "I was clear of opinion," he said, "that if his majesty would have a liturgy settled there, it were best to take the English Liturgy without any variation, that so the same Service-book might be established in all his

majesty's dominions; which I did then and do still think would have been a great happiness to this State, and a great honour and safety to religion." And farther: "Afterwards the Scottish bishops still pressing his majesty that a liturgy framed by themselves, and in some few things differing from ours, would relish better with their countrymen, they at last prevailed with his majesty to have it so, and carried it against me, notwithstanding all I could say or do to the contrary. Then his majesty commanded me to give the bishops of Scotland my best assistance in this way and work. I delayed as much as I could with my obedience; and when nothing would serve but it must go on, I confess I was then very serious, and gave them the best help I could. But wheresoever I had any doubt, I did not only acquaint his majesty with it, but writ down most of the alterations in his majesty's presence."[1]

These pleadings, when interpreted by the concurrent facts, as they were known at the time, make Laud assume the position, that he desired the simple Prayer-book of England to be extended to Scotland, and that the offensive additions to it were forced on him by the obstinate Scots bishops. That these desired something different from the English Prayer-book was a distinct separate fact, and the method of putting this fact was, that the something different instead of leaning towards the old Calvinistic usages, was an extension in the direction of the mass. It seems hard measure to attribute such a subterfuge to one of Laud's courage and sincerity. And even if we should for courage and sincerity substitute cunning and dexterity, we know that the Scots bishops had ample means of defending themselves by giving currency to the true history of their conduct. In the storm that followed there came no occasion or opportunity for such defence, and the impression that a portion of the Scots bishops were the persons most guilty in the matter of the Service-book took root in history.[2] It

[1] Prynne's Hidden Works, 155

[2] In the words of a close and skilful critic,—"The book, as

helped all efforts to inculpate them that they were close at hand to receive the castigations of their incensed countrymen. Of the real state of the situation, the prominent fact is, that a form of service had been drafted in Scotland in the reign of King James, and that, altered in its references to the royal family, if not otherwise, it was submitted to King Charles. It did not satisfy him and his advisers, and was allowed to drop.[1] Whether in the

finally adopted, was mainly the work of Laud and English divines of his school, while only a portion of the Scottish bishops concurred in it, and that not without much pressure. Though Maxwell's account of its compilation is vague and wholly apologetic, he shows that it was for English reasons the English Prayer-book was so closely followed, some things being retained, which it was known would be objected to by the great majority of the Scots, rather than that any advantage should be given to the 'turbulent' Puritans of England Clarendon says that the whole business was managed secretly, and it appears, from a letter written by Laud in the following year, that a number of the bishops had not even seen it.

"One or two Scottish suggestions were allowed, such as some sentences of Scripture, and the use of presbyter for priest; and a partial concession was made to their views as regards the Apocrypha. This was the foundation for the representations, that the book differed from the English to suit Scottish prejudices; and for remarks upon it like that of Leslie, bishop of Raphoe—

> 'Hic liber ad pacem paratus, bella paravit,
> Hinc mala; non hic.'

But nearly all the alterations were of a different character, and can scarcely fail to make the impression, that Laud and his school took advantage of the Scottish wish for a separate Liturgy, to prepare a version of the English Prayer-book, amended as far as possible in accordance with their own views.

"It was substantially a revision of the English Prayer-book, in a ritualistic direction; though this is less observed now than it was at the time, not a few of the emendations of Laud's book having been incorporated with the English Liturgy, through Cosin's influence at the revision in 1661-62."—Sprott, Introduction to 'Scottish Liturgies, in the Reign of James VI.,' lxv-lxvi.

[1] See the account of this liturgy above. The editor of the printed edition says: "It is a cross betwixt the English Liturgy and that of Knox. The morning service for week-days is virtually a Presbyterian revision of the morning service in the English Liturgy, and harmonises with the Puritan exceptions and emendations suggested at the Hampton Court conference, and afterwards at Savoy. These portions of the English service were originally of Calvinistic origin. There are a few threads of connection between the MS. and the Prayer-book of 1637;

interval of some six or seven years the Scots bishops had become more tractable through the influence of their brethren in England, is open to conjecture. It appears that there was a separate intermediate draft of a liturgy, signed by the king on the 28th of September 1634, and that after being in part printed it was suppressed. It appears to have been prepared in Scotland, and could it be recovered it might throw some additional light on the position and views of the unhappy men whose fate it was to be a hierarchy in Scotland.[1] There is still another intermediate incident whence something may be inferred. A command was issued by the king to the Scots bishops, "To cause read the English Service-book in their cathedrals, and to use it morning and evening in their own houses and colleges, as it had been used in his majesty's chapel-royal in the year of God 1617." The Scots bishops humbly remonstrated against this injunction, and "that seeing their own was shortly to come forth, desired that all should be continued till their own were printed and fully authorised; to which his majesty graciously accorded."[2] "Their own" appears to have been the intermediate liturgy partly printed and suppressed. We may feel assured that their objections to the use of the English Prayer-book did not arise from the sole reason that it was deficient in the emendations afterwards made on it by Laud and his brethren for their special benefit.

We may now return to the actual "Service-book" that created a real crisis in history. It was to be issued by royal authority, and it is observable that this authority not

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and, singularly enough, through that channel a few of its suggestions found their way into the English Prayer-book at the revision of 1661-62.

"In the special services no great change is made upon Knox's Liturgy, but, as was suggested in 1615, they are 'in some points helped.'

"It is not of great value as a liturgy, and one can understand Charles and his advisers, when they resolved to change the worship of the Church, wishing for something better; but their overdoing ended in undoing."—Sprott, Introduction, lxxi, lxxii.

[1] Sprott, Introduction, lxiii.

[2] Instructions to Balcanqual for the preparation of the Larger Declaration, MS., cited Sprott, Introduction, xl.

only imparts the king's approval of the work as completed; but takes responsibility for giving directions as to the new matter it was to contain. When Prynne performed the congenial task of searching Laud's chambers in the Tower, he found a document in these terms :—

"CHARLES R.—I gave the Archbishop of Canterbury command to make the alterations expressed in this book, and to fit a liturgy for the Church of Scotland; and wheresoever they shall differ from another book signed by us at Hampton Court, September 28, 1634, our pleasure is to have these followed rather than the former, unless the Archbishop of St Andrews and his brethren who are upon the place shall see apparent reason for the contrary.—At Whitehall, April 19th, 1636."

Prynne, who was taking vengeance for the loss of his ears, was suspicious, and not only suspected this document to have been written long after the date it bore, but to be "counterfeited Charles R. being not the king's own hand, though somewhat like it." He found at the same time a copy of the book, "with all the additions and alterations wherein it varies from the English, written, made, and inserted by the archbishop's own hand, as it was afterwards printed and published in Scotland."[1]

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[1] Hidden Works, 156. This account of the corrected Service-book exactly fits itself to the casual correspondence of the time, and especially to a letter by Laud to Wedderburn, the freshly-consecrated and eager Bishop of Dunblane, who had been trained in the principles of Laud's own school, and sent to Scotland to give effect to them. It will be seen that the English primate addresses the Scots bishop in a tone of a public officer instructing his subordinate, and intimating to him that some suggestions he has sent have been accepted, others have been rejected: "I received likewise from you at the same time certain notes to be considered of, that all of them, or at least so many as his majesty should approve, might be made use of in your liturgy which is now printed. And though my business hath of late lain very heavy upon me, yet I presently acquainted his majesty with what you have written. After this, I and Bishop Wren (my Lord Treasurer being now otherwise busied), by his majesty's appointment, sat down seriously and considered of them all; and then I tendered them again to the king without any animadversions upon them, and his majesty had the patience to weigh and consider them all again. This done, so many of them as his majesty approved I

But in his account of this copy of the book, Prynne lapses from his usual exactness; for he speaks afterwards of "this Service-book printed in Scotland, with these and sundry other alterations and additions, wherein it differed from the English." And indeed, as we shall have to see, the differences as they may be seen in the printed book

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have written into a service-book of ours, and sent you the book with his majesty's hand to it to warrant all your alterations made therein. So in the printing of your liturgy you are to follow the book which my Lord Ross brought, and the additions made to the book I now send. But if you find the book of my Lord Ross's and this to differ in anything that is material, then you are to follow this latter book I now send, as expressing some things more fully. And now that your lordship sees all of your animadversions which the king approved written into this book, I shall not need to write largely to you what the reasons were why all of yours were not admitted, for your judgment and modesty is such that you will easily conceive some reason was apprehended for it."—Ibid., 153. In Wharton's preface to the history of his 'Troubles and Trials,' prepared by Laud, there is notice of some incidents which curiously show how both Laud and his editor looked on the Service-book as his doing. Of the history of the 'Troubles and Trials' it is said: "The archbishop earnestly desired—which desire is thrice in this work expressed—that it might be carefully and exactly translated into Latin and printed, that he might thereby appeal to the judgment of the learned in all parts of Christendom. To this end himself had procured the Liturgy which he had composed for the Church of Scotland to be turned into Latin, that it might be published with it. 'To the end,' said he, 'that the book may be extant, and come to the view of the Christian world, and their judgment of it be known, I have caused it to be exactly translated into Latin; and if right be done me, it shall be printed with this history.'" This, in itself a trifling item in literary history, is significant as a revelation of the man's nature—of the self-assurance of being right, maintained amidst the wreck of all his projects. While he was cringing, whining, and apologising to his accusers, he was to leave a testimony that would vindicate him to the world at large. And when all Scotland was furious because he, or if not he, yet some English stranger, was forcing on them a foreign service, he was preparing a testimony to let all Europe know that he was the author of that righteous deed.

The translation of the Service-book was to be one of the unsupplied items in the large scheme for the publication of ecclesiastical records which Wharton but partially fulfilled. He says: "This Latin translation of the Scotch Liturgy, as also the English original copy of the first draft of it, are now in my hands, and shall, one or both of them, be hereafter, God willing, published in the collection of memorials."—Preface to History of Troubles and Trials.

are not the same in all instances as those noted down by Prynne from the copy of the English Prayer-book in which they were inserted by Laud's hand. But these differences are generally trifling, and so far as they were important, what was put down in Laud's hand goes further in the offensive direction than what was printed. In short, whoever may be responsible for this or that suggestion, the hand which perfected the offence was Laud's.

The history of Scotland will not be truly understood by any one who fails to see that to force any English institution upon the people would be accepted as a gross national insult. This stage of political infatuation had been reached by the Book of Canons, of which Clarendon said: "It was thought no other than a subjection to England, by receiving laws from thence, of which they were most jealous, and most passionately abhorred."[1]

The fatal ingenuity which distinguished the promoters of the Service-book carried them a step farther, and taught them how to aggravate the offence in its repetition. As the whole project revealed itself to the infuriated imaginations of the Scots, it took the following shape. Laud and his party were plotting the gradual restoration of Popery in England. Afraid to go straight on with this project, they determined to try a sample of it first on the Scots, in obedience to the old Latin precept to try experiments on the more worthless subject. The consequence was, that Scotland was to be coerced into the use of the English Prayer-book, decorated with some touches of Popery, that they might afterwards be transferred to England, if found endurable and serviceable.[2]

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[1] History, i. 106.

[2] The case is thus put in the articles against Laud by the Scots commissioners: "By this their doing they did not aim to make us conform to England, but to make Scotland first (whose weakness in resisting they had before experienced in novations of government and of some points of worship), and therefore England, conform to Rome, and even in those matters wherein England had separated from Rome ever since the time of Reformation." He little understood the temper of the Scots Presbyterian party when he vindicated himself in such terms as these: "I would be contented to lay down my life to-morrow, upon condition the Pope and Church of Rome would

If Laud did not intend to go farther in the direction taken by the Service-book, all appearances much belied him. It is perceptible in his correspondence, and still more decisively in the variations noted by Prynne on Laud's own copy of the book. And even without the other evidence to be presently noticed as to the substance of these variations, we may hold that although Prynne was at that time the bitter enemy of his old persecutor, he would not have dared, in the face of the world, to invent these variations. [1]

How far there was justice in the charge, that the passages in which the Service-book varied from the Book of Common Prayer tended towards Popery, or rather towards the ritualistic usages of the Church of Rome, is among the many questions which have been much and keenly debated, and might be debated for ever. The following is a specimen of these variations at a very critical point—the consecration of the elements :—

Book of Common Prayer.	The Service-book.
"When the priest, standing before the table, hath so ordered the bread and wine, that he may	"Then the presbyter, standing up, shall say the prayer of consecration, as followeth. But then

admit and confirm that Service-book which hath been so eagerly charged against me ; for were that done, it would give a greater blow to Popery, which is but the corruption of the Church of Rome, than any hath yet been given ; and that they know full well."—Troubles and Trials, 135-138. The mere idea that there was common ground on which the Kirk and Rome could meet and agree together was a horrible imagination. Immutable enmity was the only temper in which Antichrist could be received.

[1] That Laud considered the Scots Service-book not as a completion, but merely a step in the right direction, is, for instance, shown by a passage in his letter to Bishop Wedderburn already cited : "And whereas you write that much more might have been done if the times would have borne it, I make no doubt but there might have been a fuller addition. But, God be thanked, this will do very well, and I hope breed up a great deal of devout and religious piety in that kingdom. Yet I pray, for my farther satisfaction, at your best leisure draw up all those particulars which you think might make the Liturgy perfect, whether the times will bear them or not ; and send them safe to me, and I will not fail to give you my judgment of them, and perhaps put some of them to further use, at least in my own particular."—Prynne's Hidden Works, 154.

with the more readiness and decency break the bread before the people, and take the cup into his hands, he shall say the prayer of consecration, as followeth." during the time of consecration he shall stand at such a part of the holy table where he may with the more ease and decency use both his hands."

The mysterious instruction to "use both his hands" suggested the inquiry—for what purpose, unless it were that he should use them in the elevation of the host, with his back to the people?[1]

As interpreted from the other side, the significant meaning of these postures was, that the priest was not ministering to the people. Of them he took no count; he was elevating and adoring the host, and they were permitted to behold this act, and to adore apart.

But according to Prynne, looking at the rubric as Laud had written it with his own hand, it tended more distinctly and emphatically to bring out this conclusion.

His account is: "In the rubric, before the prayer of consecration, he makes this observable alteration and insertion of his own. The English rubric is only, *Then the priest, standing up, shall say as followeth;* the archbishop adds this with his own hand, Shall say *the prayer of consecration*, as followeth. *But then during the time of consecration the presbyter which consecrateth* SHALL STAND IN THE MIDST BEFORE THE ALTAR while he celebrates, with his back to

[1] The Scots commissioners put the charge thus:—

"It seems to be no great matter that, without warrant of the book of England, the presbyter, going from the north end of the table, shall stand during the time of consecration at such a part of the table where he may with the more ease and decency use both his hands; yet being tried, it importeth much," &c.

"That he may the more conveniently lift up the bread and wine over his head to be seen and adored of the people; who, in the rubric of general confession a little before, are directed to kneel humbly on their knees, that the priest's elevation, so magnified in the mass, and the people's adoration may go together."

To this charge Laud answers: "Good God! whither tends this malice? There is not a word in the book of this neither. Not of lifting the bread and wine over his head, much less is there anything to have it adored by the people. And as there is nothing in the book, so nothing hath ever been said or done by me that tends this way."—Troubles and Trials, 116, 117.

the people, who by this mean can neither see nor hear very well what he doth ; which is directly taken out of the Mass-book."[1] In this passage the words quoted are not absolutely separated from the angry comments of the quoter ; but he certainly means to say that he found in Laud's handwriting the instruction to "stand in the midst before the altar."

A question arises, whether in this the accurate record-antiquary was for once inexact, or was guilty of fabrication. If that prayer-book, with the alterations in Laud's handwriting, found by him in the Tower, could now be seen, that question would be easily settled. I cannot find anything to give a hope that this precious volume may be found ; but I have seen what professes to be an exact duplicate of it in the library of Lambeth Palace, and the internal evidence assists the external conditions in convincing me that this transcript is accurate. It is made on a copy of the English Prayer-book. This is altered throughout in manuscript, as an author makes alterations on his proofs when he has changed his mind as to what he means to print. The pen is drawn through the passages to be omitted, and those to be substituted or added are written on the margin. The shape then in which Laud drafted the rubric, and that in which it was ultimately adjusted, will be seen thus :—

In the Service-book as published.	The Lambeth Book.
"Then the presbyter, standing up, shall say the prayer of consecration, as followeth. But then during the time of consecration he shall stand at such a part of the holy table where he may with the more ease and decency use both his hands."	"Then the presbyter, standing up, shall say the prayer of consecration, as followeth. But then during the time of consecration the presbyter which consecrates shall stand in the midst before the altar, that he may with the more ease use both his hands, which he cannot so conveniently do standing at the north end of it."

The priest's posture is made the more distinct by subsequent instructions in the manuscript alterations ad-

[1] Hidden Works, 160.

dressed to "the presbyter standing up, and turning himself to the people."[1]

From all this it would appear, that if among the bishops in Scotland there was a small group disposed, like Wedderburn, to go all the way with Laud, the preponderating policy was to restrain rather than to stimulate him. Nor in seeing this are we compelled to maintain that his conduct is inconsistent with an original design merely to transfer the English book to Scotland. Uniformity of ceremonial in the two countries was a natural first step,

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[1] The Lambeth volume is a quarto prayer-book dated in 1634. The manuscript alterations are in a hand of the seventeenth century, probably the latter half of it. There is this memorandum by the writer: "The alterations of the common prayer in the following book were copied from the book of A. B^p. Laud, printed 1636, 4to, and now remaining in the library of the city of Norwich." Inquiries in Norwich, though made by a gentleman of much learning in liturgic literature, and with peculiar local facilities, were neither successful in discovering the volume nor any trace of its fate. The memorandum further says: "Almost all the alterations are in the archbishop's own hand. Some few are in the hand in which the warrant for altering is written, and are therefore distinguished by adding under them the letter S, supposing them to be the hand of the secretary. A few others, in a different hand, are distinguished by adding Sc., supposing them to be made in Scotland, according to the tenor of the warrant." The king's warrant, above referred to, is on the same page with the morning and evening prayers. Among the MS. notes the cause of an accident in the printing of the Service-book is explained. At the foot of the last page, before the Psalms, there is the catchword "Certaine." This is to carry over to the contents of next page, but there is no next page. In the book on which Laud made his alterations there were "certaine godly prayers for sundry purposes." Prefixed to these is the instruction in MS.: "His majesty commands that those prayers following, or any others (for they are different in several editions), be all left, and not printed in your liturgy." There is a touch of the peremptory in this as well as in an instruction about the Church catechism; "This catechism must be retained in your liturgy, and no other admitted in your several parishes." There is one morsel of honesty in Laud's MS. not repeated in the printed Service-book. In the MS. the Psalms are "according to the translation in King James his time." In the printed book they are called "the Psalms of David, translated by King James." As we shall see in connection with the Psalter, authorised by the assembly of divines, this version was substantially the work of Sir William Alexander, Earl of Stirling.

whether attended or not with a latent resolution afterwards to innovate in both. On afterthought, however, with the pen in his hand, he could not resist the impulse towards what artists call "touching up." Sentences here and there, capable by a word or two of approaching his criterion, made a temptation not to be resisted. Where the manuscript breaks in upon the print, the innovations protrude to the eye with peculiar force and distinctness. There are, for instance, the deep black scores drawn through the modifying announcement of a commemorative spirit in the imparting of the elements. Then the eye is at once arrested at the suggestive addition, to be presently mentioned, of the word "corporal." It was maintained by the hostile critics of the Service-book that its offensive variations from the English Prayer-book betrayed their character by their origin — they could be traced to the Romish Breviary. But this, though it might serve for popular purposes, could not avail among adepts. The Breviary was the great storehouse whence all the Protestant communities took their devotional literature. The English Prayer-book and the Scots Book of Common Order were already supplied from it. It was not sufficient, then, for the condemnation of the new passages, that they were common to the Service-book and to the Breviary— the words used must be dealt with on their own merits. When, however, it was asserted that the novelties were supplied from the Missal or Mass-book, the charge was more alarming.[1] Apart from portions of the Eucharistic

[1] In this controversy the two books are often confounded, or used as two names for the same thing. With some zealous Protestants it appears to be deemed discreditable to be too accurately informed about the creeds and ceremonies which prevailed for some hundreds of years in Christian Europe. Knowing much about Popery is like showing too intimate an acquaintance with the interior of houses of evil repute. Among the charges against Laud one was that he possessed Popish books. To this, at all events, he had a conclusive answer—How could he do his duty as a Protestant minister in refuting the errors of Popery unless he knew what they were?

It has been noted by accomplished critics, that on some points the injunctions traced to Laud's hand partake more of the usages of the Eastern than of the Roman Church. This might weigh somewhat

service taken directly from Scripture, those more characteristic portions relating to the ceremonies and doctrines connected with the elements were not treated in the same manner in the two countries. In Scotland they were abjured as polluted by the idolatry of the deification of the elements, and they had no place in the Book of Common Order. In England such portions as were deemed wholesome were selected and embodied in the Book of Common Prayer.[1] But that such an attempt to separate the wheat from the chaff was a work of nicety and difficulty, came out expressively when additions had to be made to some passages in the Prayer-book, to secure Protestant orthodoxy at the sacrifice of logic and symmetry.

Hence it came that the most flagrant instance where the new Service-book departed from the text of the English

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against a charge that Laud desired to bring Britain under the spiritual dominion of the Popedom. It was in what is now called ritualism, and was then called idolatry, that the offence lay; and if Laud found any of that commodity more to his own mind in Greek usages, his opponents would yet naturally attribute the whole to the common enemy Rome.

[1] Laud, in his defence, said: "It was urged at the bar that a prayer which I used was like one that is in the Pontifical. So in the Missal are many prayers like unto the collects used in our English Liturgy—so like that some are the very same, translated only into English; and yet these confirmed by law. And for that of Psalm xcv. 6, Venite procidamus, &c., then also excepted against, that hath been of very ancient use in the liturgies of the Church, from which rejecimus paleam, numquid et grana? We have separated the chaff—shall we cast away the corn too?"—State Trials, iv. 487.

The apology for the entire rejection of the ceremonies may be found in the Huguenot book, though this was not transferred with the more essential parts of the Geneva Service to the Scots Book of Common Order:—

"Nous savons bien quelle occasion de scandale plusieurs ont pris du changement que nous avons faite en cest endroit. Car pource que la messe a esté longtemps en telle estime, q'il sembloit advis au pour monde que ce fust le principal poinct de la Christienté c'a esté une chose bien estrange que nos l'ayon abolie.

"Et pour ceste cause, ceux qui ne sont pas deuement advertis, es timent que nous ayons destruit le Sacrement; mais quand on aura bien consideré ce que nous tenons, on trouvera que nous l'avons restitué en son entier" (that is, to the practices of the primitive Church). —Edit. 1576, p. 25.

Prayer-book, to resume that of the Popish Missal, was not in any addition or change of words, but in the mere omission of certain words to be found in the authorised English Prayer-book of the day. The question whether these words should be retained or dropped has caused theological battles familiar to the present generation. They have been fought in separate fields, each with its own peculiar conditions. In England the strife has turned on the point, whether the additional words should be removed by competent authority out of the Prayer-book as sanctioned by statute. In Scotland, where no liturgy has the authority of the law, a more equal contest has been fought on the question whether in the Episcopal Churches the communion should be celebrated according to the form of the English Prayer-book, which contains the words considered so significant, or according to those of the Service-book, which does not contain them.

To see how deep the whole went into the religious conditions of Scotland at the period to which we have come, let us look at the instruction for the communication of the elements in the Book of Common Order; it is rather more full than the instruction in the French Book of Geneva:—

"The exhortation ended, the minister cometh down from the pulpit and sitteth at the table, every man and woman likewise taking their place as occasion best serveth; then he taketh bread and giveth thanks, either in these words following, or like in effect." Then a thanksgiving prayer is followed by—

"This done, the minister breaketh the bread, and delivereth it to the people, who distribute and divide the same amongst themselves, according to our Saviour Christ's commandment, and likewise giveth the cup. During the which time some place of the Scripture is read which doth lively set forth the death of Christ, to the extent that our eyes and senses may not only be occupied in these outward signs of bread and wine, which are called the visible word, but that our hearts and minds also may be duly fixed in the contemplation of our Lord's death, which is by this holy sacrament represented."

In the well-known English communion-service, after

the instruction to deliver the elements to the people, "humbly kneeling," the form to be employed is—

"The body of our Lord Jesus Christ, which was given for thee, preserve thy body and soul unto everlasting life.

"Take and eat this in remembrance that Christ died for thee, and feed on Him in thy heart by faith with thanksgiving.

"The blood of our Lord Jesus Christ, which was shed for thee, preserve thy body and soul unto everlasting life.

"Drink this in remembrance that Christ's blood was shed for thee, and be thankful."[1]

Each injunction is here divided into two paragraphs, for the purpose of rendering the alteration intended for Scotland the more distinct. It consisted in each instance of the omission of the second paragraph—that which defines the reception of the element as an act of commemoration. There was a precedent for the shorter form in the English Prayer-book authorised under Edward VI. in 1549. But this did not palliate the offence; on the contrary, what followed in England only gave emphasis to it. There was an outcry that the words adopted were an admission of the doctrine of transubstantiation, and in the Prayer-book of Queen Elizabeth's reign the commemorative words were added to relieve the communion-service of this scandal. With this incident in the litera-

[1] Although, as we have seen, no form was prescribed by the Book of Common Order, yet the Scots clergy appear to have by general assent adopted a form not widely differing from that of the English Prayer-book. We are told by an eminent contemporary Scots divine, that "those that are nearest the minister, having received the bread, do divide it from hand to hand amongst themselves. When the minister delivereth the bread, according to the commandment and example of Christ, he commandeth the people to take and eat, saying, 'Take ye, eat ye: this is the body of the Lord which was broken for you; do it in remembrance of Him.' After all at the table have taken and eaten, the minister taketh the cup, and drinking first himself, he giveth it to the nearest, saying, 'This cup is the new testament, in the blood of the Lord Jesus, which is shed for many for the remission of sins; drink ye all of it: for as often as ye do eat this bread and drink this cup, ye do show the Lord's death till He come.'"—Henderson's Government and Order of the Church of Scotland, 123.

ture of Protestant devotion before them, the promoters of the Service-book had themselves to blame if they were suspected of a design to restore the doctrine of transubstantiation.[1]

The significance of the omitted words was held to be confirmed by the insertion of a word, which if it did not enjoin the doctrine of transubstantiation, yet casually showed what was passing in the minds of those who adjusted the Service-book: "When all have communicated, he that celebrates shall go to the Lord's table, and cover with a fair linen cloth [or corporal] that which remaineth of the consecrated elements." The offence here was in the insertion of the word "corporal." This was the name given to the cloth in which a corpse was wrapped for burial; and in the traditions of the Church the laying of it on the elements was held to be typical of the act of Joseph of Arimathea: "And when Joseph had taken the body, he wrapt it in a clean linen cloth."

In harmony with all this was the use of the term "holy table," instead of the simple word "table" in the English book—an alteration taking a different direction in Laud's manuscript, where it is the "altar," a term always offensive to the Scots Presbyterians.

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[1] Laud's own vindication of the omission was twofold—there was no harm in it, and it was not his doing. His own wish was uniformity with the English Prayer-book. "But," he says, "some of the Scottish bishops prevailed herein against me; as I have to show under the then Bishop of Dunblane's hand, Dr Wetherborn [Wedderburn], whose notes I have yet by me concerning the alteration in that Service-book." The Scots bishop's remark is: "There is no more in King Edward VI. his first book; and if there be no more in ours, the action will be much the shorter. Besides, the words which are added since—'Take, eat in remembrance,' &c.—may seem to relish somewhat of the Zuinglian tenet, that the sacrament is a bare sign taken in remembrance of Christ's passion." Laud's conclusion on it is: "So that, for my part, first, I see no hurt in the omission of those latter words—none at all; and next, if there be any, it proceeded not from me."—Troubles and Trials, 123. According to Prynne, Laud, if he did not suggest, yet certified and sanctioned the omission. He says: "In the words prescribed to be used in the very delivery of the bread and wine after consecration, there is a most notorious alteration made by way of an *index expurgatorius* with this prelate's own hand."—Hidden Works, 161.

The calendar of the Service-book is rich in the commemoration-days of the saints of the middle ages. It has been mentioned already that a few of these saints' days remained in some editions of the Book of Common Order. When their commemoration there was censured, it was answered that the calendar did not belong to the devotional part of the book; it merely contained secular information. The names of saints did not appear on it to be venerated, but merely to enable people to keep terms which had come into use in the tenure of houses and the payment of interest and other obligations. The fresh group got admission under this curious instruction under the king's sign-manual: "That in the calendar you keep such Catholic saints as are in the English; that you pester it not with too many, but such as you insert of the peculiar saints of that our kingdom that they be of the most approved; and here to have regard to those of the blood-royal, and such holy bishops of every see most renowned, but in no case to omit St George and Patrick."[1]

No canon of Scripture—that is to say, no authorised rule separating from other matter the books to be counted canonical—was yet established in Scotland, as we shall see when we come to the adoption of such a canon by the Westminster Assembly. In England, the canon, as fixed by the sixth of the Thirty-nine Articles, finds, as to the books of the Apocrypha, that, following the precept of St Jerome, they are matter which "the Church doth read for example of life and instruction of manners; yet doth it not apply them to establish any doctrine." When the canon was fixed for Scotland, it decreed that "the books commonly called Apocrypha, not being of divine inspiration, are not part of the canon of the Scripture, and therefore are of no authority in the Church of God, nor to be any otherwise approved or made use of than other human writings." This no doubt echoed the belief and practice that had grown among the Protestants in Scotland. It expanded, indeed, into a special hatred of

[1] Rushworth, ii. 343.

the Apocryphal books, as those nearest to, and therefore most apt to rival, the Scriptures. It became an offence to refer to these books; and the clergyman who might with safety quote Addison or even Pope, would not dare to cite a passage from the Apocrypha. Here, then, was another available instrument of irritation; and it was not forgotten, since in the king's direction just cited there is this: "That you insert among the lessons ordinarily to be read in the service—out of the Book of Wisdom, the 1, 2, 3, 4, 5, and 6 chapters; and out of the Book of Ecclesiasticus, the 1, 2, 5, 8, 35, and 49 chapters."[1]

One could follow still farther the grounds of offence which the Scots were enabled to find in the purely religious matter of the Service-book, but the result might prove tiresome.[2] Our story would be incomplete, how-

[1] Rushworth, ii. 343. There is some mystery as to this injunction. The passages indicated in it are the only lessons taken from the Apocrypha, and consequently the Service-book took less than the English Prayer-book from that quarter. Was it that there was an intention to pass over the Apocrypha, and that the king thought it necessary to interpose for its protection?

[2] They are thus succinctly summed up by a scholar of the period: "Rejiciendus est hic liber. 1. Quia obtruditur sine ullo prævio ecclesiæ hujus consensu et approbatione in synodo nationali, penes quam proprie hujus generis negotia definiunter. 2. Quia legitimam et longo usu receptam cultus divini externam formam prorsus abolet, ac in ejus locum substituit aliam a pontificiis mutuatam, ac ex Missali, Rituali, Breviario Romano desumptam, quæ plurima superflua et ridicula ac superstitiosa contineti semina etiam gravissimorum errorum ac idolotriæ, ac in multis anglica liturgia deterior est."—Rerum Nuper in Regno Scotiæ Gestarum Historia, 204. This book is anonymous, but is known to be by William Spang, minister of the Scots Church at Rotterdam. He tells the objections to the Service-book in detail, as they were found by the General Assembly of 1638. A statement of them to the same effect will be found in the vernacular in Gordon's History of Scots Affairs, ii. 59 *et seq.* The fullest anatomy of the book, with the object of detecting traces of Popery, is in Prynne's examination, the long title of which begins with, "Hidden Works of Darkenes brought to Publike Light; or, A necessary Introduction to the History of the Archbishop of Canterburie's Trial," 1645.

An account of the variations of the Service-book from the several versions of the English Prayer-book will be found in the following books: Bulley's 'Tabular View of the Variations in the Communion and Baptismal Offices of the Church of England, from the Year 1549

ever, without some account of a very offensive secular document printed at the beginning of the book, to flare in the face, as it were, of those for whom it was destined. This was a proclamation to enforce the use of the new book under the pressure of that "charge of horning," or

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to 1662—to which is added those in the Scotch Prayer-book of 1637;' in Hall's 'Reliquiæ Liturgicæ—Documents connected with the Liturgy of the Church of England,' in six volumes; and Hamon Lestrange's 'Alliance of Divine Offices, exhibiting all the Liturgies of the Church of England since the Reformation, as also the Scotch Service-book.'

For works taking up the controversy in a more discursive manner, as vindicating the simplicity of the Scots system against the English on Scriptural authority, the opinions of the fathers, and other received materials of ecclesiastical controversy,—the following works may be mentioned: Gillespie's 'Dispute against the English-Popish Ceremonies obtruded on the Church of Scotland;' Samuel Rutherford's 'Divine Right of Church Government and Excommunication, or a peaceable Dispute for the Perfection of the Holy Scripture in point of Ceremonies and Church Government, in which the Removal of the Service-book is justified, the six Books of Thomas Erastus against Excommunication are briefly examined,' &c.; and Calderwood's 'Altare Damascenum ceu Politia Ecclesiæ Anglicanæ obtrusa Ecclesiæ Scoticanæ, a formalista quodam delineata illustrata et examinata, studio et opera Edwardi Didoclavii, cui, locis suis interserta confutatio Paraeneseos Tileni ad Scotos Genevensis, ut ait, disciplinæ zelotas.' The reader who reaches the end of this quarto volume of 950 pages will probably feel satisfied that he has seen enough of that side of the controversy. Calderwood's book is valuable, however, as it is the amplest display of the testimony of his party while there was yet room for peaceful discussion, and before controversy had passed into war. It may be noted, however, that the reader of the controversial literature of the day, even after the critical affair of St Giles, will be surprised to find how much more abundant didactic pedantry is than exciting reference to the passing events. The works on the question by Robert Baillie are numerous and long titled. By far the best account of them, apart from that appended to his Letters, will be found under their author's name in the portion of the catalogue of the Advocates' Library prepared by the late Samuel Halkett.

In the "Supplication," of which hereafter, the iniquities of the Service-book are thus rapidly and emphatically told. In the book "not only are sown the seeds of divers superstitions, idolatry, and false doctrines, contrair the true religion established in this realm by divers Acts of Parliament, but also the Service-book of England is abused, especially in matter of the communion, by additions, subtractions, interchanging of words and sentences, falsifying of titles, and

denunciation by blast of trumpet, with which we have repeatedly had occasion to deal. It is perhaps the most curious of all the many occasions in which the Crown has in Scotland had recourse to those forms of law by which subjects attack and oppress each other. The writ in the usual form leaves a blank for the names of the persons who are to proclaim it as—"messengers, our sheriffs in that part." The instruction to them is in these words: "Our will is, and we charge you straitly and command that incontinent these our letters seen you pass, and in our name and authority command and charge all our subjects, both ecclesiastical and civil, by open proclamation at the market-crosses of the head burrows of this our kingdom, and other places needful, to conform themselves to the said public form of worship, which is the only form which we (having taken the counsel of our clergy) think fit to be used in God's public worship in this our kingdom. Commanding also all archbishops and bishops, and other presbyters and Churchmen, to take a special care that the same be duly obeyed and observed, and the contraveners condignly censured and punished; and to take especial care that every parish betwixt and Pasch next, procure unto themselves two at least of the said Books of Common Prayer for the use of the parish. The which to do we commit to you conjunctly and severally our full power by these our letters, delivering the same by you duly execute and indorsed again to the bearer.—Given under our signet at Edinburgh the 20th day of December, and of our reign the twelfth year, 1636."

Surely it may be safely said that the history of Christianity cannot show another instance of a book of devotion announced in such a fashion to its devotees. Being the writ employed for the enforcement of obligations, and especially for the recovery of debts, the preparation of it implied that there would be resistance to the use of the book, and that such resistance was to be put down by

misplacing of collects, to the disadvantage of reformation, as the Romish mass, in the main and substantial points, is made up therein."—Rothes's Relation, 49.

force. The solicitor addicted to sharp practice will find himself immediately at home in this part of the Service-book, and will perhaps admire its skilful draftsmanship.[1] And indeed there is ground for suspicion that this document was the work of a skilful and designing lawyer. It was not a document to be prepared by Laud or any of the king's clerical advisers. It had to be drawn under the direction of the Scots Privy Council; and there arose a well-warranted suspicion that there were men in that conclave who saw that a struggle must come, and desired to hasten it and have it over. Whether or not the king and Laud got assistance of such a sinister kind, it may be said of their whole scheme, that a general in the tactics of a campaign, or a political leader in the organisation of his party, could scarcely have invested greater skill in the accomplishment of their respective objects than the promoters of the Book of Canons and the Service-book contributed to the troubles that were coming. When the disastrous results thus obtained are contrasted with the ends sought by the projectors, the effect is to neutralise adverse criticism on the conduct of the king and his adviser Laud. By all calculation founded on history and the springs of human action, the results that did come were so likely, that those who expected anything else must be supposed to have looked to other than natural cause and effect, and to have got into the irresponsible condition of the accused person who is acquitted by a jury on the ground of insanity.

Nothing was wanting even in trifling details to complete the hostile position. The book itself was a folio very conspicuous in size for the period. It was printed in red

[1] The editor of the Reliquiæ Liturgicæ, coming to the words "betwixt and Pasch," feeling as if something were wrong, says in a note: "So in the original: there seems to be a word omitted; but the sense no doubt is, 'between *this* and Easter next.'" The supposition is correct; but if the learned divine had gone so far out of his usual course in consulting authorities, as to have sought enlightenment from a sheriff-officer or other member of the bailiff class in Scotland, he would have been informed that the passage is in correct style, the ellipsis being a technical peculiarity in some legal forms in Scotland.

and black, the black type being of that Gothic letter which had been obsolete for nearly eighty years, and was associated with the literature of the old Church. There had arisen in Scotland a strong feeling against pictures, especially in works of devotion; and there had been some angry remonstrances about copies of the Bible brought from Holland with decorated capitals. This was of course an access of the old suspicious horror of subtle approaches to idolatry, and the breach of the Second Commandment. To feed this excited spirit, the Service-book was amply decorated with pictorial capitals and other illustrations, and was, as far as the art of the day could accomplish, brought to a parallel with the most brilliant specimens of illuminated breviaries and missals.[1]

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[1] A Scots typographical critic of the early part of the eighteenth century has left the following tribute of admiration to the artistic finish of the Service-book, as compared with an edition of the English Prayer-book of the same date: "You'll see, by that printed here, the master furnished with a very large fount—four sheets being insert together; a vast variety of curiously-cut head-pieces, finis's, bloom-letters, factotums, flowers, &c. You'll see the compositor's part done in the greatest regularity and niceness in the kalendar, and throughout the rest of the book. The pressman's part done to a wonder in red and black; and the whole printed in so beautiful and equal a colour, that there is not any appearance of variation."—"The publisher's preface to the printers in Scotland," prefixed to 'The History of the Art of Printing, containing an Account of its Invention and Progress in Europe,' Edinburgh, 1713, being a translation of the 'Histoire de l'Imprimerie et de la Librairie of Jean de la Caille.' The Service-book in the original edition is rare and costly. There is a plain reprint of it in octavo dated 1713. Investigators are accustomed to suspect the honesty and exactness of reprints of religious books; but this is believed to be a verbatim repetition of the original, nothing being altered but the spelling. The almanac prefixed to it begins in the year 1637, and in the litany the royal prayer is for "Charles, our most gracious king and governor." The Service-book is one of the magnificent collection of liturgies reprinted in *facsimile* for Pickering in 1845. The Communion Office was reprinted in 1764, and repeatedly in recent years for those who prefer it to the English form. An edition of the Communion Office in folio, with musical notation, and enriched borders in the style of the sixteenth century, bears the imprint, "London, James Burn, Portman Street, 1844."

Baillie gives the following typographical anecdote about the Service-book: "It was well near May ere the books were printed; for, as it is now perceived by the leaves and sheets of that book which

was given out athort the shops of Edinburgh to cover spice and tobacco, one edition at least was destroyed; but for what cause we cannot learn, whether because some gross faults were to be amended, or some more novations was to be eked to it. Both reasons are likely, only it is marvellous that, so many being conscious of necessity to this deed, that secret of it should not yet come out."—Rothes's Relation, 197.

CHAPTER LXIX.

CHARLES I.

THE CRISIS—BOOK OF COMMON ORDER READ IN PEACE—SCENE ON READING "LAUD'S LITURGY," OR THE SERVICE-BOOK—THE "DEVOUTER SEX"—INQUIRY AS TO THE IDENTITY OF JENNY GEDDES—THE SCOTS COUNCIL AND THE COURT—QUESTION TRIED WITH RECUSANTS—THE POLITICAL SITUATION—THE DOUBLE OPPOSITION—THE RELIGIOUS BRANCH OF IT—THE HOLDERS OF ECCLESIASTICAL ESTATES—CONSERVATIVE CHARACTER OF THE OPPOSITION—THE "SUPPLICATIONS"—THE SUSPENSE—THE PROCLAMATIONS AND PROTESTATIONS—INDIGNATION AND MOBBING—THE INCIDENTAL CONSTRUCTION OF THE TABLES—CONSOLIDATED INTO A STATE POWER.

ALL was now ready for the explosion. It was understood that the Service-book was to become the ritual of all the churches in Scotland in the Easter of 1637. For some reason not well known, however, the crisis was postponed; and the reprieve seems to have caused that accession of nervous irritation which often arises from the deferring of a critical trial which people wish to see well over. On the 16th of July, those among the Edinburgh clergy who agreed to comply with the royal warrant announced that the Service-book would be used in their churches on the Sunday next following. In the morning, as we have seen, the usual prayers had been read from the old Book of Common Order. After this, the book which was to supersede it was inaugurated with all becoming pomp. The Archbishop of St Andrews was present; the Bishop of Edinburgh was to preach, and the Dean in his surplice to read the service. Whenever he opened the fatal volume,

there arose in the congregation a confused clamour, waxing louder, and exciting those who partook in it to practical violence—one of those chaotic scenes the exact progress of which cannot be traced. It is certain that books and other missiles at hand were thrown, and that the Bishop of Edinburgh, who stood up to rebuke the rioters, narrowly escaped a blow on the head from a stool.

The disturbers were, to use a contemporary definition, at first almost limited to the "devouter sex." Some of them, no doubt, were zealots; but the bulk of those contributing outcry and violence were creatures of that debased mob-element, with animal instincts, ever tending to abuse and violence when they are excited. It would appear that the "fauld-stools," or folding-stools, so well known over all the churches of Christian Europe, were then used in Edinburgh, and that it was the practice for a domestic servant to carry from the house into the church the stool belonging to her mistress, and occupy it until the arrival of the owner. Hence a contemporary, describing the scene, says: "A number of the meaner sort of the people, most of them waiting-maids and women who use in that town for to keep places for the better sort, with clapping of their hands, curses, and outcries, raised such an uncouth noise and hubbub in the church, that not any one could either hear or be heard."[1] To account for the gentlewomen delaying to come and occupy their seats on so novel and exciting an occasion, we must suppose that they abstained from countenancing the idolatrous ceremonial, and were to be present only at the sermon. Meanwhile their stools—crossed sticks strapped together—were very convenient missiles.[2]

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[1] Gordon's History, i. 7.

[2] One of the most distinct and familiar of historical traditions attributes the honour of flinging the first stool, and so beginning the great civil war, to a certain Jenny or Janet Geddes. But a search among contemporary writers for the identification of such an actor on the scene, will have the same inconclusive result that often attends the search after some criminal hero with a mythical celebrity when he is wanted by the police. It appears that a woman named Janet

It has been already seen that the practice of the response was fundamentally obnoxious to the promoters

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Geddis was at a later time an Edinburgh celebrity; but the only occasion on which her fame is mentioned is for an act of a totally different character from the throwing of the stool—it is for her conspicuous part in the rejoicings at the Restoration, recorded in this lively manner by a contemporary news-writer:—

"Amongst all our bontadoes and caprices, that of the immortal Jenet Geddis, princess of the Trone adventurers, was most pleasant; for she was not only content to assemble all her creels, basquets, creepes, furms, and the other ingredients that composed the shope of her sallets, radishes, turnips, carrots, spinnage, cabbage, with all other sort of pot-merchandise that belongs to the garden; but even her weather chair of state, where she used to dispense justice to the rest of her lankale vassals, were all very orderly burned, she herself countenancin the action with a high-flown claret and vermilion majesty."—Edinburgh's Joy for his Majesty's Coronation in England, 6.

Perhaps, like some of the demigods of antiquity, this woman had acquired such a character that any conspicuous or violent act naturally gravitated towards it. Janet was, it appears, an herb-woman or greengrocer; but it will hardly confirm the tradition to find that, after another interval of nearly thirty years, a pamphleteer of the Revolution epoch thus attributes the throwing of the first stool to a woman of that profession:—

"After a world of arbitrary proceedings, the Common Prayer-book was sent down into Scotland, where the king had no more right to send it than into the Mogul's country.

"But the old herb-woman at Edinburgh put an end to that game; for hearing the archbishop who watched the rubrick, directing him that read the book to read the collect of the day, she made a gross mistake, and cried, 'The deel collick in the wem of thee!' and with-all threw her cricket-stool at his head, which gave a beginning to the war of Scotland."—Notes upon the Phœnix edition of the Pastoral Letter; Works of the late Rev. Mr Samuel Johnson, p. 320.

There remains still an item to make up the fagot of incoherent and fragile testimonies to the fame of Jenny Geddes, in the following fragment of a sarcastic song:—

> "Put the gown upon the bishop,
> That's his miller's due o' knaveship;
> Jenny Geddes was the gossip
> Put the gown upon the bishop."

The word "knaveship" has no connection with knavery. It meant the feudal allowance due by the farmer to the knave or servant working at the mill where he was bound by feudal tenure to take his grain to be ground. But even this explanation will not help to the mystery about throwing the stool. The song, too, only first appeared in print

of the simple Scots ritual or Book of Common Order.[1] On the present occasion the practice afforded an opportunity for distributing the offences of the Service-book in the bosom of the congregation. We are told how "the gentlewomen did fall a-tearing and crying that the mass was entered amongst them, and Baal in the church. There was a gentleman, who standing behind a pew, and answering 'Amen' to what the dean was reading, a she-zealot hearing him, starts up in choler. 'Traitor!' says she, 'does thou say mass at my ear?' and with that struck him in the face with her Bible in great indignation and fury."[2]

The magistrates of Edinburgh were present to grace the occasion. The perplexed clergyman appealed to them, and they managed to get the rioters driven out. Service went on in presence of those who decorously remained. But the excluded mob, joined by others of their kind, kept roaring round the building and battering at the doors. When the service ended, the Bishop of Edinburgh, in passing to his house, was threatened and hustled by the mob. He was still at their mercy when he reached his own door, for it was closed; and if his neighbour, Lord Wemyss, had not given him shelter, he would have remained in imminent danger. There were disturbances in the other churches in Edinburgh where the Service-book was opened. Such members of the

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in Johnson's Musical Miscellany, No. 450. Burns was the most important contributor to this work, so that the authority for this lyrical gem is no older than his day. The annotator on Johnson's collection gives it an origin far wide of the Covenant: "This is a mere fragment of one of those satirical and frequently obscene old songs composed in ridicule of the Scottish bishops about the period of the Reformation." — Illustrations of the Lyrical Poetry and Music of Scotland, 390. Wodrow, on the authority of Robert Stewart—a son of the Lord Advocate of the Revolution—utterly dethrones Mrs Geddes: "He tells me that it's the constantly-believed tradition that it was Mrs Mean, wife to John Mean, merchant in Edinburgh, that cast the first stool when the service was read in the New Kirk, Edinburgh, 1637; and that many of the lasses that carried on the fray were prentices in disguise, for they threw stools to a great length."—Analecta, i. 64.

[1] See above, chap. xlix.

[2] Gordon's History, i. 7.

Privy Council as could be hastily assembled, concerted with the magistrates how to protect the churches during the afternoon service; and though they succeeded in this, there was still a fierce pursuit of the bishop. He was escorted by the Earl of Roxburgh, the Lord Privy Seal, who found him an unsafe companion, since it was with difficulty that some armed guards protected the carriage in which they drove together from destruction by the mob.

The Bishop of Dunkeld, in an account of the outbreak, says it was not fortuitous, but had been carefully planned by members of the Presbyterian party.[1] As the result of organisation, however, such a scene would only have testified to weak and stupid counsels. Its powerful significance was in its testimony to a great indignation filling the country, and spontaneously breaking forth in the conduct of those classes who are the most susceptible to gregarious excitement. Those who afterwards maintained the righteousness of the cause, admitted the baseness of the instruments by which it had been first promoted, and compared them to Balaam's ass, whose mouth had been opened to speak inspired words. Similar tokens of irritation were manifested in other parts of Scotland, and especially in Glasgow, where again it was the "devouter sex" who were the foremost champions of orthodoxy.[2] When the authorities looked into the state of

[1] Guthry's Memoirs, 43.

[2] The earliest instance which the author has noticed of women assembling in Scotland under clerical influence and committing violence is in the year 1615. The queen's chamberlain was serving certain writs in the town of Burntisland, in Fifeshire: "The officer, at the cross of the town and other parts, is by a multitude of women, above ane hundred of the bangster Amazon kind, most uncourteously dung off his feet and his witnesses with him, they all hurt and blooded; all his letters and precepts reft fra him, riven, and cast away, and so chased and stoned out of the town. This done *clara luce* little before noon, the people beholding, some magistrates, as is proven by some witnesses, going on the street beside, the bailie's own wife principal leader of this tumultuous army of Amazons—no man could esteem but a premeditate device and plot laid down by policy and craft of men." Though the object appears to have been secular, yet the chief instigator of the riot was found to have been "Master William Watson, minister of that town, ane wha indeed has been principal

public feeling in Edinburgh, they found it so formidable that they thought it necessary to suspend all assemblages for public worship. The bishops had given instructions to the clergy "that neither the old service nor the new-established service be used in this interim,"—recommending, however, that there should be sermon, preceded and followed by prayer.[1] But the prohibition went further, and the city was compared to a community under the old Papal interdict, or, as a country clergyman described it: "In Edinburgh itself, for a month's space or thereby after the first tumult, there was a kind of vacancy of divine service upon the week-days, the churches standing desolate, without either preaching weekly, as the custom was, or morning and evening prayer daily, which looked like a kind of episcopal interdict which the town was put under, which did but heighten the rage of the people, who were already in a distemper and discontentment."[2]

In the mean time the power of the king's warrant to enforce the use of the Service-book by letters of horning was put to the test. This brought out in a curious shape the effect of the practice, so often noticed, of the Crown having to resort in Scotland to those ordinary forms of law used between subject and subject. In Scotland it could not be said that there was any institution clearly marked off, like the royal prerogative in England.[3]

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ruler of that town this lang time."—Letters relating to Ecclesiastical Affairs during the Reign of King James the Sixth, 433.

The assaults on the heterodox by "the devouter sex" were numerous. One had an excuse which added a great fund of insult and humiliation to the injuries inflicted on the victim. He was beaten because, not being a popular preacher, he occupied the pulpit in which one of that class—Henry Rolloc—was expected to appear. The viragos assembled to enjoy a theological feast adapted to their voluptuous appetites, found common parish fare, and vented their wrath on the cause, "who, finding that D. Elliot went to pulpit when they expected Mr Henry Rolloc, after sermon fell upon him and Mr Fletcher with many sad strokes."—Baillie's Letters, i. 109.

[1] Council Record, Peterkin's Collection, 52.

[2] Gordon's History, i. 14.

[3] For instance, that prerogative process, the writ of extent, for levying the claims of the Crown preferably to other debts, was unknown in Scotland until it was established by an Act of the British

Hence, if the king's process were disputed, that the monarch and the subject entered a court of law together, had a tendency to nourish a sense of equality between the two. The question was tried on the application of three ministers in Fifeshire; and the importance of the position they held as fighting the Crown in a great State question was enhanced by the eminence of one of their number, Alexander Henderson, minister of Leuchars, the rising hope of the Presbyterian party.

This process, technical and sedately formal, was in vivid contrast with the storm outside. The three ministers raised a "suspension" against the charge of horning.[1] They stated that on being charged to purchase two of the books, each of them had intimated his willingness to receive the book, and read it that he might see what it contained, "alleging that in matters of God's worship we are not bound to blind obedience." This permission to read the book beforehand was not granted; "and yet," they add, "we are now charged with letters of horning, directed by your lordships upon a narrative that we refused the said books, out of curiosity and singularity, to provide each one of us two of the said books for the use of our parishes."

The pleas urged for the three suspenders were brief appeals to the law, touching but slightly on the great ecclesiastical disputes at the root of all—as, for instance: "Because the book is neither warranted by the authority of the General Assembly—which are the representative Kirk of this kingdom, and hath ever since the Reforma-

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Parliament immediately after the Union of 1707. Before it came over, it had been moulded into a beneficial process for realising the public revenue; but in its native country it had been one of those shapes of arbitrary power for which many of the English kings struggled so resolutely.

[1] In the crowd of ecclesiastical litigations which ended in the secession of the body constituting the Free Church, the term "suspension" was frequently used, and was apt to puzzle those strangers to the law of Scotland who took an interest in her religious controversies. It is a process by which a court of law is called upon to suspend any enforcement of a writ or other hostile act until its legality is formally discussed.

tion given directions in matters of God's worship—nor by any Act of Parliament, which in things of this kind hath ever been thought necessary by his majesty and the Estates. Because the liberties of the true Church, and the form of worship and religion received at the Reformation and universally practised since, is warranted by the Acts of General Assemblies and divers Acts of Parliament, especially the Parliament 1567, and the late Parliament 1633."[1]

The question was tried in the Privy Council, or the Secret Council, as it was called in Scotland. This body was not, as the name might import, merely the executive staff of the Crown. They professed to exercise two functions—the executive or ministerial, and the judicial; and they kept the two separate from each other. Their court was in some measure the rival of the Court of Session, as in England the King's Bench and Exchequer were the rivals of the Common Pleas. The Council had all that reluctance to decide a broad principle, if a narrow one will suffice, which in the English courts brought out many a decision that a slave-owner had not proved his title to the slave he claimed, before there was a decision on the broad principle that no title whatever could make good such a claim.

In this instance the Council were not driven to decide the question whether it was within the power of the Crown and the executive to enforce the proclamation prefixed to the Service-book. They found that the letters of horning extended to the buying of the book, and no farther. Thus the use of it as a ritual was virtually "suspended." The prelatic party thought they could see in this a lack of zeal for their cause and the king's—and perhaps they were right. It was among the personal hardships brought on by political convulsions, that the Scots bishops were, as a body, compromised by Laud and his vehement followers. If any of them desired it, yet they could not extricate themselves from the prelatic party; and they were destined to find themselves in a sadly friendless position. A large

[1] Rothes's Relation, 46.

body of the aristocracy were, as we have seen, from strong causes of self-interest, their natural enemies; and events were giving their ecclesiastical opponents a sweeping popularity among the people. Against the pressure of such forces they had no stay except the precarious and relaxing hold of their zealous brother at the head of the alien and hostile English Church.

On the question how far the Service-book was accepted in the territories farther northward, the shape taken by one exception would be enough to prove the generality of the rule that the book was abjured. The Bishop of Brechin, on the frontier land between the Presbyterians of the south and the Cavaliers of the north, resolved to serve his king and his order by reading the book. So one Sunday, by Baillie's account, "when other feeble cowards couched," he "went to the pulpit with his pistols, his servants, and, as the report goes, his wife with weapons. He closed the doors and read his service. But when he was done he could scarce get to his house—all flocked about him; and had he not fled he might have been killed. Since, he durst never try that play over again."[1]

Of Robert Baron of Aberdeen, a metaphysician with a European reputation, Baillie hears with horror that he has written in commendation of the Service-book. "I tender," he says, "that man's reputation as one who was half designed to our theologic profession in Glasgow, which we can never attain to with any tolerable contentment of our country were he an angel, if once he hath fyled paper in maintenance of this book."[2]

When reports of these events reached the Court, and the news spread through London, there arose that half-incredulous and not unpleasing curiosity which we have known in our own day to attend the faint opening excitements of great convulsions, such as a Parisian revolution or a Sepoy mutiny. There was nothing to excite any feeling beyond curiosity—nothing to connect the strange actings of a strange and remote people with the great home questions which were disturbing the equanimity of

[1] Letters and Journals, i. 41. [2] Ibid., 64.

thinking men in England. Clarendon, writing back from a full knowledge of the momentous influence to be thrown by these events on the fate of England, says: "The truth is, there was so little curiosity either in the Court or the country to know anything of Scotland, or what was done there, that when the whole nation was solicitous to know what passed weekly in Germany and Poland, and all other parts of Europe, no man ever inquired what was doing in Scotland, nor had that kingdom a place or mention of one page of any gazette."[1] This lack of information the great annalist attributes to the king's jealousy of any possible interference with his ancient kingdom, "and that it might not be dishonoured by a suspicion of having any dependence upon England." If this was what the king desired to impress on English statesmen, Laud acted so as to create the opposite impression in Scotland. He scolded those whom he held responsible in the matter, lay and clerical, like a testy commander whose brilliant tactics are wrecked through the incapacity or cowardice of his subordinates:—

"His majesty takes it very ill that the business concerning the establishment of the Service-book hath been so weakly carried, and hath great reason to think himself and his Government dishonoured by the late tumult in Edinburgh, July 23; and therefore expects that your lordship and the rest of the honourable Council set yourselves to it that the Liturgy may be established orderly and with peace, to repair what hath been done amiss."

"Nor is his majesty well satisfied with the clergy, that they which are in authority were not advertised that they might attend the countenancing of such a service, so much tending to the honour of God and the king."

"Of all the rest, the weakest part was the interdicting of all divine service till his majesty's pleasure was further known. And this, as also the giving warning of the publishing, his majesty at the first reading of the letters and report of the fact checked at, and commanded me to write so much to my Lord of St Andrews, which I did; and

[1] History, i. 110.

your lordship at the Council (July 24) spake very worthily against the interdicting of the service—for that were in effect as much as to disclaim the work, or to give way to the insolency of the baser multitude; and his majesty hath commanded me to thank you for it in his name. But the disclaiming of the book as any act of theirs, but as it was his majesty's command, was most unworthily. 'Tis most true the king commanded a liturgy, and it was time they had one. They did not like to admit of ours, but thought it more reputation for them—as indeed it was—to compile one of their own, yet as near as might be; and they have done it well. Will they now cast down the milk they have given because a few milkmaids have scolded at them? I hope they will be better advised."[1]

The king issued a brief stern order that the Council bring "the rude and base people" guilty of the tumult to punishment, and at the same time give fitting support to the clergy.[2] The Council directed that the proper steps should be taken to bring the offenders to punishment; but although some persons were apprehended and examined, from whatever cause it might be, no one was punished for the affair. There also reached the disturbed and wavering Council an order under the king's hand for enforcing the absolute use of the Service-book throughout the country. Its tone is that of a master rebuking servants for negligence or remissness in their duty.[3]

These rebukes and commands from the Court in London reveal a total unconsciousness of there being any difficulty beyond what proper attention to official duty can at once remove. In their lazy journey to Scotland, however, they were crossed by sinister intimations that the acts of the rabble were receiving support and countenance from men of position and power.

An outbreak, even though it be by a paltry rabble, is often the occasion that brings men of gravity and responsibility forward on the political stage. The machinery of government is set in motion, and they have to choose

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[1] Hidden Works, 165, 166.
[2] Privy Council Record, Peterkin, 52.
[3] Ibid., 54

what part they will take in the events to come. There is something wrong; and the question now comes practically forward, Who is fundamentally responsible for it? The long-pent-up wrath that had been accumulating through the country came forth in all its power and fulness. A variety of petitions, or "supplications," as they were termed, poured in upon the Council; and the ever-increasing body who signed them became a sort of power in the State under the humble name of "The Supplicants." They were of all ranks. Thus we have "the petition of the men, women, children, and servants of Edinburgh," and likewise "the petition of the noblemen, gentry, ministers, burgesses, and commons, to the Council, against the Service-book and Book of Canons."[1]

There was an organisation for the preparation and signing of these petitions; and the zeal of the Supplicants was amply fed by a body of practical politicians who had now taken their resolution to fight a keen political battle with the Court. The petitions were so multifarious, and kept pouring in so continuous a stream of varied remonstrance into the council-chamber, that to analyse them, either according to their several purports, or the classes of persons from whom they came, would fill a tedious and not very instructive narrative. It may suffice to say, that although the strength of the opposition was still in its political element, yet common cause was made between the politicians and the clergy; and there was always enough about the grievances to the consciences of the serious to secure their co-operation. That the innovations, resting on the sole authority of the Crown, without any sanction from the Estates or a General Assembly, were an invasion of the constitution and the national liberties, was the main position held by the Supplicants; but this position was strengthened and the clergy propitiated by the statement that the innovations in their substance were offensive to the people, as savouring of English interference or of Popery.[2] The Five

[1] Privy Council Record, Peterkin, 56.

[2] Specimens of the supplications will be found in Rushworth, ii.

Articles of Perth and some other ecclesiastical laws were doubtless offensive to many persons; but in their adoption the forms at least of the constitution were observed; and however much those whose consciences repelled them might struggle personally against their enforcement, there was in them no warrant for a national stand against the encroachments of the prerogative upon the powers and privileges of the Estates of the realm. The general tone of these documents is briefly expressed in the following passage from the "Supplication of the Town of Glasgow:" "We have been unwilling to oppose the beginnings of alterations from the uniform practice of public worship in this realm since the first Reformation, but gave way to what was concluded by the Acts of a General Assembly and Parliament, being put in hopes from time to time that the alterations should proceed no further; but now are appalled with fears to see ourselves *brevi manu* deprived of that liberty in serving God which both State and Church approved by public authority, and constrained to embrace another, never so much as agitate in any General Assembly, or authorised by Parliament."[1]

The Supplicants treated the king's person with great reverence, if that may be called reverence which implies a charge of incompetency for government, and a weak compliance with the will of designing men. Their vehement protestations of loyalty, indeed, have a tone slightly grotesque in the face of the work in which they were employed. Among the reasons which they say specially moved them in one of these gatherings was, "to complain of a number of bishops, ministers, and other their followers, who, grieving at their opposing of them, scandalously and wrongfully called the petitioners mutinous and rebellious subjects; the imputation whereof was intolerable unto them, who had God to be their witness that they will rather undergo death itself than

394 *et seq.*; Rothes's Relation, 48 *et seq.*; and Peterkin's Records, 49 *et seq.*

[1] Rothes's Relation, 48.

be guilty of that sin ; that never any such word or motion had been heard among them that tended further than humbly to supplicate as the most submiss way allowed to the meanest of the subjects."[1] They showed very distinctly, however, that they would not have the king indorse over to his bishops or anybody else the reverence which they admitted to be due to himself.[2] He had ordered his Council not to receive any supplications censuring the bishops, or dealing disrespectfully with them ; and as a sort of commentary on this prohibition, the Supplicants charged the bishops as the prime stirrers-up of all the mischief, and demanded that they should be removed from the council-board, where their complaints were to be considered, being parties accused, and therefore incapacitated from acting as judges—and all with the usual reverence for the king himself, thus : "We

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[1] Rothes's Relation, 24.

[2] To understand how the spirit of loyalty could live along with hostility to the king's Government, it is necessary to shut the mind against a natural popular delusion which treats the Conservative statesman of the present day as the political representative of the Cavalier of old. The conditions of this identity have to be almost inverted. In England the Parliamentary party were the Conservatives ; the courtiers were the innovators. Events, no doubt, leading to war, led also to the consequences of war—the breaking up of old institutions. But ere events came to that alternative, the efforts of all the leading men—of Elliot, Pym, Hampden, and their brethren —were for the preservation of the Constitution. If the business done in the Long Parliament be compared with that performed by the Tiers Etat and the Directory, the antithesis is at once visible. In the one, all is order, precedent, and ancient usage ; in the other, even in its innocent moments, there are but idle visions of liberty, equality, and fraternity. The men most dreaded and hated by the Court in England were of the class with whom revolution and anarchy are least apt to be associated—men like Cotton, Prynne, and Selden, who spent their hours in learned privacy, and drew wisdom from ancient parchments. When they spoke honestly, they were the most dangerous enemies of the Court; if they treacherously hid or distorted their knowledge, they could become its most valued and powerful friends. Tampering with the religion of the people was the shape which innovation had in some measure taken in England. In Scotland it took this shape more amply. But in both nations the original cause of all the mischief was the encroachment of the Court on the established constitution of the country.

being persuaded that these their proceedings are contrary to our gracious sovereign his pious intention, who, out of his zeal and princely care for the preservation of true religion established in this his ancient kingdom, has ratified the same in his highness's Parliament 1633, and so his majesty to be highly wronged by the said prelates, who have so far abused their credit with so good a king as thus to ensnare his subjects, peril our Kirk, undermine religion in doctrine, sacraments, and discipline, move discontent between the king and his subjects, and discord between subject and subject, contrary to several Acts of Parliament—do, out of our bounden duty to God, our king, and native country, complain of the foresaid prelates, humbly craving that this matter may be put to a trial, and these our parties taken order with, according to the laws of this realm, and that they be not suffered to sit any more as our judges, until this cause be tried and decided according to justice."[1]

Getting no ready answer to their appeals, the Supplicants tried to rouse the attention of the Council by repeating their remonstrances in varied terms of urgency, and so they fell upon the bishops again, thus: "We noblemen, barons, burrows, ministers, appointed to attend his majesty's answer to our humble petitions, and to do what else may conduce lawfully to our humble desires, do crave that all archbishops and bishops may be declined and not permitted to sit as our judges, nor to vote or judge in the answer or answers to be made or given by your lordships to our supplication and matter of our complaint therein contained, because the said archbishops and bishops are, by the said supplication and whole strain thereof, made out direct parties, as contrivers, devisers, introducers, and maintainers, and urgers upon us and others, his majesty's good and lawful subjects, of the book called the Book of Common Prayer, and the other called the Book of Canons and Constitutions for the Government of the Kirk of Scotland, both altogether unlawful."[2]

[1] Rothes's Relation, 50. [2] Ibid., 51.

While countless papers, expressed in such and sometimes more verbose and tedious tenor, were pouring in upon the perplexed Council, the Supplicants who signed them began to push their objects in a shape more menacing. By a sort of mutual tacit understanding the battle of the adoption or rejection of the Service-book was to be fought in Edinburgh—any contests elsewhere were secondary and ephemeral; and the nation looked for its fate to the capital. Thither the opponents of the Government in other parts of Scotland began to throng in, announcing that they came to receive the answer which the Council had to make to their supplications. Thus to the already excited and formidable mob of Edinburgh there was added a great auxiliary force, and a bloody insurrection might at any moment break out.

While the assembling of the Supplicants was yet in its infancy, the Duke of Lennox had to pass through Edinburgh from attendance at his mother's funeral in the west. It was rumoured that he was intrusted with powers to deal with the questions disturbing Scotland; but whether so or not, he was, as the king's cousin, one who had easy access to the centre of authority. It was desired that he should be the bearer of the supplications, and that he should carry with him to Court a lively impression of the deep sense of wrong felt by all ranks of the community. It was resolved, that in going from Holyrood House to the council-chamber by the High Street, he should pass between two rows of Supplicants; and so we are told that "when the duke came up the way the ministers were all ranked betwixt the cross and the Luckenbooths on the south side of the gate; the nobility and gentry all ranked on the north side, over against the said Luckenbooths."[1] When the duke took his journey to London he carried with him sixty-eight petitions, signed by so many groups of Supplicants.

The Supplicants waited on day after day and week after week in growing impatience for an answer to their appeals. In the middle of October the influx of strangers rose to its

[1] Rothes's Relation, 9.

highest, for it was rumoured that the answer was at hand. On the 17th, that answer, if answer it could be called, was made known in the shape of three exasperating proclamations by the Council, who took good care to set forth in distinct terms that they expressed the literal commands of the king. The chief object of the first in order was to drive the crowd of strangers out of Edinburgh—"to command every one that hath come hither to attend this business to repair home to their own dwellings within twenty-four hours after the publication hereof, except those who can prove that they have business in Edinburgh, under pain of rebellion and of putting them to the horn; with certification to them that if they fail they shall be denounced rebels and put to the horn, and all their movable goods escheat to his majesty's use." Another proclamation professed to execute the threat uttered by King James, to make Edinburgh a desolation by removing the Council and the supreme courts—the representatives of royalty and central government. The first session was to be held at Linlithgow, as conveniently at hand, and then there was to be a removal for permanent settlement in Dundee. The third denounced a book which had become offensively popular—Gillespie's 'Dispute against the English-Popish Ceremonies obtruded on the Church of Scotland.'[1] A day was named when all who possessed the book should bring it to the Council, and those found in possession of it after that day were to "incur the like censure and punishment as the author may be found to deserve for anything contained in that book."[2]

The reading of these proclamations at the market-place lashed into fury that formidable institution the mob of Edinburgh. Their first opportunity of mischief was afforded by the Bishop of Galloway walking openly and unconcernedly along the street to the council-house. They rushed on him, and he fled for his life into the council-house, which he might not have reached but for the aid of a friend bold and strong—a son of that Stewart, Earl of

[1] See above, p. 144.
[2] See the proclamations at length, Rushworth, ii. 401, 402.

Bothwell, who had been so troublesome to King James. There he was besieged by the roaring mob; and when some members of the Council, hearing of his danger, went to his relief, they too were pursued by the mob to the door of the council-house, and held prisoners there when they got within. They managed to smuggle out a messenger, who carried information of their danger to the city chambers, where the magistrates were. Some of these, however, especially the provost, were unpopular, as deficient in sympathy with the Supplicants; so they too were in a state of siege. In fact they had to capitulate, for, feeling in imminent peril, they signed a paper promising honest co-operation with the Supplicants. This turned the wrath of the mob from the magistrates, and left them free to consult with some members of the Government about the relief of those in the council-house. This and the appeasing of the mob in general was accomplished through the intervention of the men of rank and position who had become leaders among the Supplicants. As usual when a mob is at its rough work, there were many incidents of personal insult and injury. The worst of these seems to have fallen on Traquair, the Lord Treasurer. He was hustled and thrown down, and those about him having with difficulty raised him, "without hat or cloak, like a malefactor he was carried by the crowd to the council-house door." He must have been walking in state when this occurred, for among his other calamities was the loss of his official white wand.[1]

The high officers of the Crown had to feel that it was not to their own authority and power that they owed protection and the peace of the city, but to the intervention of the graver and more responsible of the opposition. Yet of these it was remarked that they did not on this occasion affect the same hearty repudiation of the conduct of the rioters which they had professed on the occasion of the tumult in the church. "Nor," says a bystander, "was there the least show or signification of any desire they had

[1] Rushworth, ii. 402; Gordon's Scots Affairs, i. 21. A considerable portion of the narrative is word for word the same in both.

to see them punished or questioned; whereby all thought that greater and more regular actors were now to step out and act." [1] The Council issued a proclamation against tumultuous assemblies, but any obedience paid to it may be attributed to the abandonment of any attempt to enforce the more formidable proclamations dictated by their master. The crowd of Supplicants remained in Edinburgh; and when the more conspicuous of them condescended to account for their conduct, they said they chose to remain on their lawful business—the "term," or periodical time of the adjustment of accounts and payment of rents, was near, and "their lordships behoved either to stay creditors from seeking their debts, or else give them more time to take order with their business." [2]

Among the Supplicants assembled in Edinburgh, several appeared not for themselves merely, but as commissioners representing municipal corporations. These observed with uneasiness that the corporation of Edinburgh did not take part with them. It was of great moment to secure the co-operation of this body, as it was clear that the coming contest was to be fought in Edinburgh. This end was accomplished through a mob-pressure of the passive kind, where weight and earnestness are trusted to do the work without active violence. An active leader of the party describes the excitement of the people, and the religious tone which was deepening into it, in terms so minutely descriptive that they would be spoilt by any alteration: "They did again press ane Act of their council for choosing commissioners to supplicate with the rest of the kingdom for restoring their ordinary common prayers, their lawful pastors, and usual readers—ane great cause likewise of the popular commotion. The magistrates granted this Act very willingly to them, which the whole Town Council has confirmed since. No violence nor wrong was intended nor performed by the said multitude, no weapons used, or present, as the Lord Treasurer and Wigton—who went up to the provost, hearing there was so many about the Town Council house, where he

[1] Gordon's Scots Affairs, i. 25.

[2] Rothes's Relation, 10.

was sitting—can testify. Only with cries and tears they desired the preservation of religion, and the keeping away the Service-book and restoring their own; and many prayers for them would stand by the truth. The multitude, who desired earnestly to vent these their prayers and wishes to the councillors, made a great press about the Treasurer and Wigton, who, as the returned, withdrew the most part of them after them; and many went away after the Act foresaid was granted by the Town Council. A few stays the provost's outcoming, who did no further injury than by pressing a little to be near for crying thanks for that Act he had granted, till the provost reproached some of them with evil words, which was answered perhaps by some women with the like."[1]

Thus reinforced, the Supplicants determined to concentrate their powers on a great effort. They gave in that Supplication which stands prominent among the whole mass for the comprehensiveness both of its promoters and its demands. Hitherto the supplications had come in one by one from separate groups; now there was to be an appeal from the whole body assembled in Edinburgh, comprehensively defining themselves in its opening as "We noblemen, barons, ministers, burgesses, and commons." The previous supplications were generally directed against the Service-book alone as a special grievance; but this was comprehensive. It attacked the Book of Canons with much critical vigour, and, coming down to immediate events, protested vehemently against the proclamation for driving the Supplicants out of Edinburgh. It contained the bitter censure of the bishops already referred to, and was altogether far less supplicatory than the previous supplications; in fact, there was visible through its formal courtesies and professions of reverence for the king, a decided tone of menace. To help them to deal with demands all too full and distinct, the Council had instructions from Court, which, except as to the offensive proclamations, were brief and indistinct. They were "to find out and punish the stirrers-up" of the original tumult—an

[1] Rothes's Relation, 14. 15.

achievement utterly hopeless. To the immediate purpose the king said: "We have seen the letter and petitions sent us therewith, which we think not fit to answer at this time, but will do it when we shall think fit. And because we are not resolved for the present when to do it, we command you to dissolve the meeting this council-day in so far as it does concern this business."[1] This dubious instruction was repeated in the Council's proclamation, and they interpreted it as a general order to abandon all dealing with the ecclesiastical dispute until they received further instructions. Holding this view, when the great supplication came up they opened it, as not knowing what the contents of the packet might be; and when they "found it concerned Kirk matters, they professed they would read none of it, and were offended the petitioners should present anything which they had declared themselves unable to receive—taxing the petitioners of impatience, who would not wait his majesty's answer."[2]

But the Council, even if the lay members had been as zealous in the cause as the clerical, were utterly helpless. They were unprotected in the midst of a hostile crowd; and though part of this crowd consisted of the aristocracy of the kingdom, who had hitherto been the supporters of the Crown and the institutions of the country, and had influenced the humbler people to the same end, they had cast away all reverence for the monarchy and constitution as then locally represented in Scotland. They were at enmity with the Council; and their moral influence over the humbler crowd, added to their feudal command over their own vassals, made their enmity all the more formidable. In the mean time it was in their protection that the members of the Council found safety from the general mob. The Council could not even obey the injunction to adjourn to Linlithgow without abandoning the capital to the enemy. Of course they enjoined on the stranger Supplicants the duty of returning home, in obedience to the king's proclamation; but this precept was received with silent contempt. Indeed the crowd of strangers was seen to increase.

[1] Balfour, ii. 236.

[2] Rothes's Relation, 17.

The country was stirred by a rumour that on the 17th of November the king's answer to all the supplications would be read in Edinburgh. The Council attempted to stop the current by warnings and remonstrances; "but the advertisements missed some by the evil weather; others came because they could not find content in their minds if they stayed at home; others hearing of their neighbours' coming, could not be withheld." [1]

It was under these exciting conditions that an affair occurred which, taken by itself, was a mere simple arrangement for the peaceable transaction of the business on hand, but in its effects was one of the most momentous events in the history of that eventful period. Professedly to obviate the dangers and mischiefs inseparable from the political action of great crowds, it was agreed on both sides that the several classes into which the Supplicants were politically and socially divided should act by committees or representatives. They were for this purpose divided into Nobles, Lesser Barons, Burgesses, and Clergy. Each of these classes was to elect four representatives; and so was created the celebrated and formidable body known in history as "THE TABLES."

If it was not an absolute necessity, the consent of the Council to this arrangement was one of the grandest political blunders ever committed. Wherever a group of men can assemble together, each as the accredited representative of many others, a new power in the State is created. This is a danger well known and guarded against in all constitutional governments. For instance, when any body of persons, not being a corporation acting within their corporate powers, address the British Legislature through such a person as a chairman or secretary, their petition or other document is only received as coming from the individual person whose signature is attached to it. The Council had now set down by their side a deliberative body of sixteen, more powerful than themselves. They had better have been in the hands of the Estates of Parliament, of which their master and his

[1] Rothes's Relation, 18, 19.

zealous servants had a horror, for then two sides would have been represented. But here was a body of men all on one side—a Parliament without an Opposition.

The Council could not have done a better deed in the cause of the Supplicants; and yet, if a contemporary who knew well what was passing is correct in naming the authors of the plan, it seems to have been conceived in all simplicity. They were Hay, the Lord Clerk-Register, and the Bishop of Galloway. Hay is a neutral figure in the confusions of the times. The Bishop of Galloway was the public enemy who made so narrow an escape from the second tumult. There he was assailed as "Papist loun, Jesuit loun, betrayer of religion;" and it was charged against him "that he ordinarily had a crucifix in his cabinet where he said his prayers, and did wear upon him, commending by discourse the use of them for remembrance."[1] The motives influencing the several members of the Council in assenting to the formation of the Tables were thus analysed by a contemporary: "The Council acquiesced: such of them as fancied them not—namely, the bishops—to be rid of the unruly multitude; others out of necessity, because they saw not how to command them. Nor wanted there in the Council such as willingly promoved the overture, being then their secret friends, but afterwards their open associates."[2]

The mistake was seen when it was beyond remedy. Many fruitless attempts were made to break up the compact body of representatives into morsels. They were told that the committee for each Estate should act

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[1] Rothes's Relation, 17-20. Baillie says: "It went also braid and wide, and was told to the bishop's face by my Lord Dumfries before the treasurer, that he did wear under his coat, upon his breast, a crucifix of gold; to which challenge his reply was but faint. A certain gentleman told me that he did see and handle and confer concerning that crucifix with the bishop. For all this, I do not believe it; for I, upon my old respect to the man, made Mr R. Hamilton his familiar pose him upon the matter, who reported to me his full purgation of that calumny. However that synod and commission in Galloway, that supposed lie and crucifix did give no little occasion to the increase of the people's murmurs."—Letters, i. 16.

[2] Gordon's Scots Affairs, i. 27, 28.

separately; it was not intended, and it was in itself unlawful, that they should form one compact body representing their cause throughout Scotland. But to prohibit their acting with a common understanding was too subtle an operation to be accomplished by force, had that been in the Council's possession. That, being in natural possession of a power by which they could molest their enemy and protect themselves, they should freely and scrupulously abstain from using that power was not in human nature. Their consciences were clear within them—they were doing good service. "The whole commissioners professed, if they should appear and petition severally, they would become so hateful to those who had intrusted them as they could not be answerable, nor durst not turn home for fear of their dislike. And when the general meeting was branded with the imputation of unlawful convocation, it was far otherways, their cause being religion, their end just, their meeting peaceable, and their proceedings orderly."[1]

Ostensibly the Tables consisted of but the sixteen persons who were to communicate with the Council, and sit in permanence for that end. But behind these there was a larger representative body available when necessary. This consisted of the aggregate electoral colleges, as they might be termed—the bodies by whom the four of each Estate were chosen. The nobility chose so many of their own body to represent them in this aggregate body. It is further pretty clear that each county was represented in the department of minor barons, each burgh in that of burgesses, and each presbytery in that of the clergy; but the aggregate number of the whole, and the share of representation possessed by each constituency, is not to be discovered.[2]

Of the ends to which the institution worked, the following memorandum was left by a contemporary recorder of events: "These sixteen thus chosen were constitute as delegates for the rest, who were to treat with the Council thereafter in name of the rest, and to reside constantly

[1] Rothes's Relation, 36. [2] See Baillie's Letters, i. 40.

where the Council sat. These delegates thus constitute were appointed to give intelligence to all quarters of the kingdom to their associates of all that passed betwixt the king, the Council, and them; to correspond with the rest, and to receive intelligence from them; and to call such of them, with the mind of the rest, as they thought expedient. Further, these delegates, after a certain time, were to be freed of that charge; and being relieved, others to be put in their places to succeed to them, and so forwarded by turns. It was they who for some time afterward were known under the name of the TABLES, or more commonly the GREEN TABLES."[1] It was easy for a committee of sixteen at the utmost to conduct their business in an orderly shape; and as to the larger assemblages, arrangement was made, described in as neat a digest of the tactic of a public assembly as one will find anywhere:—

"For keeping of order it was appointed that we shall continually choose one of our number to be president; that all motions shall be first proposed and tabled before any be handled; that no motion shall be proposed by any, nor answer given to any motion, without the proposer and answerer obtain leave of the president—and that to eschew the speaking of many at once."[2] Both the structure and the functions of the institution were altered from time to time. It is sufficient here to remember that it was a permanent institution until it was superseded by the meeting of the Estates. The Supplicants were fortunate in their successive delegates. How thoroughly they were masters of political business the coming narrative will show. When once fairly installed in office, their constituents left them to their work in complete confidence. The narrator just cited says: "This being done, the multitude returned every one to their own homes, ready to return upon the first call of their new representative which they had established in their place."[3]

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[1] Gordon's Scots Affairs, i. 28.
[2] Rothes's Relation, 35. [3] Ibid.

CHAPTER LXX.

THE COVENANT.

THE IMPATIENT SUPPLICANTS—THEIR LOYALTY TO THE KING AND QUARREL WITH THE COUNCIL—QUESTION OF THE BISHOPS IN THE COUNCIL—THE PROTESTATION—CONSTITUTIONAL INFLUENCE ATTRIBUTED TO THAT PROCESS—PROCLAMATIONS AND PROTESTATIONS—THE SCENE AT STIRLING—THE RACE BETWEEN PROCLAIMERS AND PROTESTERS—THE COVENANT—ITS DESIGN AND COMMENCEMENT—GREYFRIARS' CHURCHYARD—INFLUENCES FOR THE PROPAGATION OF THE COVENANT—HAMILTON AS HIGH COMMISSIONER—SYMPATHIES WITH THE ENGLISH OPPOSITION—QUESTION OF SECRET INTERCOURSE—THE ASSURANCE, AND ITS FATE—THE POLICY OF THE COURT—LAUD—GENERAL STATE OF SCOTLAND—POWER OF THE NORTH—THE GORDON INFLUENCE—METHOD OF FEUDAL AGGRANDISEMENT—THE GORDONS AND CRICHTONS—TRAGEDY OF THE BURNING OF FRENDRAUGHT—INFLUENCE ON THE DISPOSAL OF PARTY FORCES.

I HAVE thought it right to indicate with a cautious minuteness, which may be counted tedious, such traces as appeared to reveal whatever inner agency—social, political, or religious—may account for the events occurring up to this point. The unconspicuous and silent growth of the powers destined to come into contest in great convulsions are the most important, yet the least obtainable, portion of the history of any notable epoch in the history of a large community—and the community involved in the Scots movements of the day was a large one, for it was the whole of the British empire. The forces that were to come in conflict may now be considered as embodied against each other, and coming forth in the face of day with all the world a witness of their contest. Hereafter, then, the same minuteness of detail may not be necessary.

From the preparations behind the scenes we pass to the front of the historical stage, and see the events of the drama following each other in rapid succession, and with a visible chain of connection needing little explanation.

As Edinburgh was no longer to be the seat of Government, the Council met at Linlithgow early in December. Thence, by instruction from the king, a proclamation was issued. It was still in the tone of offended royalty and stern rebuke, intimating that the riotous conduct of his subjects had influenced him to postpone the gracious answer he might have made to his subjects' supplications. He would in the mean time, however, appease their vain terrors by a solemn assurance of his abhorrence of Popery.[1] This did not satisfy the Supplicants, and they speedily showed that nothing would satisfy them short of a distinct revocation of all the offensive steps taken by the Crown. The Council adjourned to Dalkeith, and thither the Supplicants carried the war of words. They not only poured in additional supplications, but they were enabled to vary the mode of attack by putting their demands into a new form, suggested by the ingenuity of their lawyers. It was called a Protestation, and sharpened the tone of the demand by imparting to it a slight but distinct tone of menace. It was an official and formal assertion, that if their humble supplications were neglected or repelled, those to whom they have appealed in vain must be responsible for the consequences that may follow.

They went farther still. The "Tables or commissioners" insisted, as a representative body, in orally debating the whole matter at the council-board. The scene was rendered grotesque by the irresistible pertinacity of the commissioners, and the vain efforts of the Council to shake them off. When they presented themselves — twelve out of the sixteen — the clerk of the Council, Primrose, came forth to receive their papers or "bill." They refused to part with it, "because they were there to present it themselves, and had something to speak for farther clearing of their minds. The Council

[1] Rushworth, ii. 408.

sent out their clerk again, and desired the noblemen to present their bill, the barons theirs, and so forth every one of them severally. This the commissioners refused, because they were directed to present one for all. The clerk was sent forth the third time, and desired that seven or eight of them might come in and present their bill without distinction of what Estate they were. They answered they were already few enough, being but twelve, and were appointed by the commissioners who represented the body of the Supplicants of every Estate." The Council desired to check this assumption of representative power, and sent some of their members to rebuke the commissioners. But the commissioners seem to have had the better of their opponents in a debate at the door of the council-room. The councillors who had come forth offered to receive the document which the commissioners had brought with them; but this "was refused, because they had orders to present it to the Council, and not to the councillors, and had something to speak for farther declaring of their minds which required a judicial representing of it."

Certain members of the Council endeavoured, in personal conference with the commissioners, to get the tone of their appeal softened, but in vain. The commissioners had no powers to depart from their instructions. We are then told how "the Lords of Council raise abruptly, and departed by another door than where the commissioners were waiting." To obviate such an evasion at the next meeting of Council, the representatives of the Supplicants blockaded both the doors.[1]

It was part of the political creed of the Supplicants that the bishops were not lawful members of the Council. Presuming even that they could legally sit at the council-board, they were specially disqualified from dealing with the case of the Supplicants. By a time-honoured rule of the law of Scotland, if a judge has any personal interest in a case coming into the court to which he belongs, any litigant in the case may disown his jurisdiction by a "de-

[1] Rothes's Relation, 37, 38.

clinator." The Supplicants maintained that the bishops were parties to their suit before the Council—guilty parties, as the prime movers of all the mischief that had been wrought. Among the multifarious documents offered by them to the Council was a Declinator, drawn up in very bitter terms, denouncing the right of the bishops to act as members of Council in the question of the supplications. In permanent antithesis to this opinion, the king always began his messages to the Council with the style "Right Reverend," counting the Archbishop of St Andrews as the head of that body. This dispute brought a separate element of complexity into the curious game between the Council and the commissioners from the Tables. In the end, to dispense with the presence of the bishops was deemed a wiser course than by their presence to provoke the commissioners to table their declinator. And we are told that the Bishop of the Isles, being the only one present when they appeared, was induced to withdraw. At the audience which they at last obtained, their leader for the time, Lord Loudon, uttered a long oration, recapitulating all the grievances that had become the objects of dispute; and the Council undertook to lay the whole matter before the king.

Throughout the materials for this narrative there is an element of uncertainty about the conduct and intentions of the lay members of the Council. There were many conferences aside between members of the Council and representatives of the Tables. The tone of the councillors was rather in the direction of caution than of defiance or rebuke. Lord Roxburgh exhorted them not to provoke the king to extremities; and as he "did flee out in many great oaths," Henderson the clergyman "did reprove him for his oft swearing."[1] Traquair, the treasurer, gave assurance that in the end the Service-book would be withdrawn, and all concerned in opposition to it should receive indemnity. But in the mean time there must be a form of submission to the king—and he sketched a scene of Oriental humiliation: "That he would have the keys of

[1] Rothes's Relation, 44.

the town and charter of their liberties delivered to the king; and six commissioners from the town publicly prostrate themselves before the king as he was going to the chapel at Whitehall two several days; and upon the third day, upon the Scots councillors that were at Court, their prostrating themselves with the commissioners before the king, the king would redeliver their keys and charter of their liberties, and pardon them."[1] They were so far from any such penitent intention, that they declared all their acts to be justified by the legal opinion of eminent counsel, who, on a case laid before them, had advised them that they might bring actions at law against the authors of the innovations, and against any persons who should venture to charge the impugners of these innovations with sedition.[2] Some tedious remonstrances to induce them to modify the terms of their documents were entirely wasted. They felt their strength, and were determined to take their own way to the utmost. As it was clear that a great crisis was at hand, Traquair, the treasurer, went up to London to discuss with the king the policy to be adopted.

So matters stood in the beginning of 1638. January had passed, and February was passing. The Supplicants became impatient, saying they had now waited more than half a year for an answer to their reasonable appeal. Traquair had returned, but kept an obdurate silence. At length it came out that a proclamation was to be made at Stirling, where the Council would assemble. The tenor of this proclamation was well known to the Supplicants. It was too nearly in the tone of the advice which Traquair had given. The king exonerated the bishops, and took the burden of all on himself. He called on his loyal subjects to comply with his orders about the Service-book. They would be pardoned for the past; but if they continued to offend him by meetings or other undutiful acts, they should be punished as traitors. The commissioners of the Tables prepared a counter-protestation, and summoned their constituents to assemble in force at Stirling,

[1] Rothes's Relation, 43, 44.

[2] Ibid., 43, 59.

"thinking that, being together, they were more able to give the Council information and satisfaction than by so few, who might be dazzled with difficulty of new propositions and acts not expected."[1] In this protestation a new vein of sarcastic remonstrance was struck, to meet a new aspect of the question—the king's assumption of all responsibility. It was maintained that in this the Council libelled his gracious majesty; yet so well did the protesters know the whole to be the king's own doing as to be fed for some time with the hope that the Council would not pass it. This was so nearly fulfilled, that although the Council did pass it, there were but few members present—not enough, it was said, to make a regulation quorum. The representatives of the Tables refined upon the charge of libelling the king. To say that the king was the author of the grievances of Scotland, was to put them—his loyal subjects and only honest counsellors—in the false position of acting in enmity to their king.

We have here—perhaps in a more peculiar and effective shape than ever—the influence upon State events in Scotland of those legal forms which serve for the enforcement of private rights. Of the "protestation" or protest, the best known observance in the present day is the protesting of a bill of exchange for failure to accept or failure to pay. Even so applied, it is a formality of ancient descent. It intimates to the world, by a solemn and ancient form, that though the bill is not an obligation which can be enforced by the common-law authority, like a bond under seal, but is a mere counting-house slip of paper between merchant and merchant, yet the holder of it takes solemn protest at the hands of a notary-public of the empire that he holds it a good and veritable obligation, which he intends to enforce by whatever means he may find available to him.

In the absence of anything in Scotland like prerogative procedure in England, the influence expected of the protestations against the royal proclamations seems to have been something like this. If we let the commands con-

[1] Rothes's Relation, 59.

tained in the royal proclamation pass in silence, we will be bound to obey them, as admitting that they are within the power of the Crown, and they will be a precedent for the future. But if proclamation be made to all the world that we count them nought, we are not compromised. The Crown must prove by old precedent that it has the power to issue and enforce such proclamations—the whole matter lies over for inquiry and discussion. The practice of the times furnished an example in point. When a litigant in the Court of Session considered that he had been unjustly treated, he "took protestation for remeid of law," and applied to Parliament for a remedy. Like such a person, the Supplicants took their protestation in the hands of a notary-public, whose intervention brought the affair within the region of diplomacy, since he was a traditional officer of the empire.

The Supplicants themselves had full faith in the efficiency of their protestations. We shall see presently the efforts they made to get them punctually thrown in as the counterparts of the proclamations. In communicating afterwards with their constituents, they exulted, after the fashion of victorious litigants, over the successful tendering of the protestations. The document in which this is set forth, being an admonition or letter of information circulated from headquarters throughout their own body, is instructive, as showing that in confidential communing among each other, so far as concerns the objects deemed vital in their eyes, they spoke exactly in the terms in which they assailed the Government. We see in this, as in their more solemn annunciations, that they determine to stand by the religion and "the laws and liberties" of their country; that their enmity is against the prelatical members only of the Council; and that they hold the king, as deceived by the prelates, to be personally guiltless of the whole, and worthy of all loyal reverence.[1]

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[1] "The noblemen, commissioners of shires, and barons and others convened for this common cause, which concerns the preservation of true religion and the laws and liberties of this kingdom, understanding how the prelates, by misinformation of the king's majesty, has,

The document here referred to, called the "Protestation," was among the most critical and serious of the Scots papers of its time, though its fame has been obscured by that of its companion, the Covenant. The protestation, with due homage to the momentous character of such a document, was carefully drawn by some

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after their accustomed manner, procured a proclamation to be made for establishing the Service-book, and discharging all meetings under the pain of treason, have, in God's providence, legally obviate the publication and ratification thereof, by timeous protestations and declinature of the common adversaries, the bishops, at the cross of Stirling, the council-table there, the cross of Linlithgow, and the cross of Edinburgh, and are resolved to do the like at other places as need shall be; wherethrough, in the judgment of such as understand best, their proclamations and proceedings is made of no legal force, to hinder the absolute necessar meetings of all that have interest in this common cause and necessary exigency." This was sent to the selectors of the sixteen who formed the Tables, to be circulated by each in his own district, "so as none may be overpast."—Rothes's Relation, 68.

Afterwards, when the Duke of Hamilton came as commissioner, and begged that he might be spared the infliction of "a protestation," they said: "A protestation is the most ordinary, humble, and legal way to obviate any prejudice may redound to any legal act, and of preserving our right, permitted to the meanest subjects, in the highest courts of Assembly or Parliament, whensoever they are not fully heard, or, being heard, are grieved by any iniquity in the sentence—which is grounded on the law of nature and nations; that it is the perpetual custom of this kingdom, even upon this reason, to protest, as it were, in favour of all persons' interest and not heard by any express act. Salvo jure cojuslibet, even against all Acts of Parliament." And further, the protestation "is a dutiful forewarning the king and his commissioner of our desires and the lawful remedies thereof, the benefits of granting them and evil consequences of refusing them; is a sensible exoneration of us before foreign nations; is a legal introduction of our lawful defences cum moderamine inculpatæ tutelæ; and the most necessar preface to our subsequent declarations in case of extreme necessity."—Ibid., 119.

In this work (p. 83 *et seq.*) will be found the documents successively issued at this juncture. They are long, with frequent repetition, and cannot be commended to the general reader for liveliness, sublimity, or any other quality likely to engross his attention. Fierce as was the excitement out of which they sprang, this would not be visible in them, nor would anything else of an interesting character, to one not trained in some measure to the forms and phraseology of the Parliament House of Edinburgh.

of the ablest lawyers of the day working together. That it was no empty declamation, but a weighty State paper, was shown by the Council, who endeavoured to evade the reading of it by stealing a march on its authors. It happened that early on the morning of the 20th of February a footman of Traquair's stepped into a tavern for a cup of ale, and was heard to remark among other matters that his master had just left Edinburgh. Lord Lindsay, who was living in the tavern, heard what was said, and taking immediate suspicion, he sought out Lord Home, and the two took horse, galloped towards Stirling, and overtook Traquair, the treasurer.[1] Finding that the protestation could not be evaded, the Council were in no haste to issue the proclamation; and before it was uttered, seven or eight hundred of the Supplicants had assembled to hear it. The proclamation was read by a herald—one of the class of officers who of old were not deemed the servants of provincial governments, but were franked by the Emperor as his representatives in all countries. The protestation was then read with solemn "taking of instruments" by a notary, who also was by courtesy and in name at least an officer of the "Holy Roman Empire." When the Council went to Linlithgow to repeat the proclamation, there were the protesters before them. Passing on to Edinburgh, where it was to be made with the greatest amount of solemnity, the Privy Council, when they went to mount the cross, found a scaffolding opposite to it, on which were ranged their enemies, surrounded by a mob of Supplicants. The proclamation was received "with jeering and laughter of the most unmannerly sort." When it was finished, the crowd did not permit the councillors and the heralds to depart. They had to stay and hear the protestation, "as if one authority had claimed equal audience to both."[2] Wherever the proclamation

[1] Rothes's Relation, 63.

[2] Gordon's Scots Affairs, i. 33. This contemporary chronicler gives us this anecdote current in his day: "It is reported that at one of these protestations at Edinburgh cross, Montrose standing up upon a puncheon that stood on the scaffold, the Earl of Rothes, in jest, said to him,—'James,' says he, 'you will not be at rest till you be

was uttered, there the remorseless protesters were in readiness. In all towns but one they had the sympathy of the people. In Aberdeen alone the Supplicants were in the minority, yet here they uttered their protestation.[1]

In every step taken by them the commissioners from the Tables showed themselves to be thorough men of business, and adepts in statecraft, both in its principles and details. Among many able practical lawyers who assisted them, Sir Thomas Hope was supreme in the civil department, and Archibald Johnston of Warriston in the ecclesiastical. It is to Johnston that the world generally has attributed the project of renewing the Covenant.

This was a master-stroke of policy. The Covenant had been drawn under a reign of terror, when the Protestants of Scotland really dreaded the restoration of the old Church, with more than its old powers for avenging itself on insolent heretics. The League was terrible in France. Philip of Spain was preparing the great blow, which fell harmless because too late. The north of England was Popish; and Queen Mary was alive, ever communicating with Papists in Britain or the Continent. The haughty lords of Huntly kept a Papal court in the north, and there were many Popish lords in the western border. Thus stimulated by terror and hatred, the Covenant was a marvel of bitter eloquence. In now renewing it, the Supplicants had all the advantage of its denunciatory rhetoric, while they stood free of all charge of malignant exaggeration. It could not be said they did it—they were but repeating in the hour of their own difficulty and peril what the nation had uttered in a previous time of peril.

We have already seen how fiercely and potently the denunciatory clauses of this document had been drawn.[2] A postscript was appended to the old Covenant to

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lifted up there above the rest in three fathom of a rope.' This was afterwards accomplished in earnest in that same place. Some say that the same supports of the scaffold were made use of at Montrose's execution."—Ibid.

[1] Gordon's Scots Affairs, i. 34.

[2] See chap. lviii.

apply it to existing conditions. The late innovations were clearly in the direction of that Popery which had been abjured by the subscribers' ancestors, and were justly amenable to the same denunciations. Hence, stripping their Protestant faith, as set forth in the authorised confessions, of the innovations of recent times, they conclude: "Therefore, from the knowledge and conscience of our duty to God, to our king and country, without any worldly respect or inducement so far as human infirmity will suffer, wishing a farther measure of the grace of God for this effect; we promise and swear by the great name of the Lord our God to continue in the profession and obedience of the said religion; and that we shall defend the same, and resist all those contrary errors and corruptions, according to our vocation, and to the utmost of that power which God hath put in our hands, all the days of our life." The new additions made to the old confession were powerful in professions of loyalty to the king, as if they were more needed than they had been on the previous occasion. The adherents go on: "With the same heart we declare before God and men, that we have no intention nor desire to attempt anything that may turn to the dishonour of God or to the diminution of the king's grace and authority. But, on the contrary, we promise and swear that we shall to the utmost of our power, with our means and lives, stand to the defence of our dread sovereign the king's majesty, his person and authority, in the defence and preservation of the foresaid true religion, liberties, and laws of the kingdom; as also to the mutual defence and assistance, every one of us of another, in the same cause of maintaining the true religion and his majesty's authority with our best counsel and bodies, means and whole power, against all sorts of persons whatsoever; so that whatsoever shall be done to the least of us for that cause, shall be taken as done to us all in general, and to every one of us in particular." And in a subsequent announcement that they were determined to hold by the Covenant, they say: "We were, and still are, so far from any thought of withdrawing ourselves from our dutiful subjection and obedience to

his majesty's Government, which by the descent and under the reign of 107 kings is most cheerfully acknowledged by us and our predecessors, that we neither had nor have any intention or desire to attempt anything that may turn to the dishonour of God or diminution of the king's greatness or authority; but, on the contrary, we acknowledge our quietness, stability, and happiness to depend upon the safety of the king's majesty, as on God's vicegerent set over us for maintenance of religion and administration of justice." [1]

When it was put to them that this determination to stand by each other through all things was scarcely harmonious with their professions of loyalty, they said: "The same was cleared by the plainness of the words of the Covenant itself, and by the sincerity of their purpose, who only intended, first, the defence of the religion presently professed; next, of his majesty's person and authority; and, lastly, to defend each other in the defence of the said religion and of his majesty's person and authority." [2] If there was a touch of demure sarcasm in this definition, there was an element of sincerity too.

In the Scots section, indeed, of the great contest, there is scarce a whisper about touching the throne, though the actors were determined that the king should do as they willed. As an onlooker put it, "the sense of all was, that they would continue obedient subjects, so that the king would part with his sovereignty—which was in effect that they would obey if he would suffer them to command." [3] Though the doctrines of resistance had their chief fountain in Scotland and in the writings of Buchanan, yet they did not take in that country the republican form to which they tended in England. Yet the Scots form was perhaps still harder on crowned heads. The sovereign was eminently responsible to his people. If he were virtuous and beneficent, he would be blessed with prosperity and happiness; but if he were an evil-liver or a tyrant, he would be thwarted, harassed—per-

[1] Rothes's Relation, 123.
[2] Ibid., 172.
[3] Gordon's Scots Affairs, i. 79.

haps put to death. And yet a sovereign was in their eyes as much a necessity to a State as a general to an army or a commander to a ship.

For all their vehement announcements of loyalty, there was a misgiving that this virtue would not be absolutely conceded to them; and in their new clauses they say: "Neither do we fear the foul aspersions of rebellion, combination, or what else our adversaries, from their craft and malice, would put on us, seeing that what we do is so well warranted, and riseth from an unfeigned desire to maintain the true worship of God, the majesty of our king, and the peace of the kingdom, for the common happiness of ourselves and our posterity."

The document thus renewed, with some additions, had for its own time and purpose only been signed by a select group of influential people. Its promoters on this occasion had views of a wider and more popular kind—they determined to attempt at least to draw to it the adherence of the adult male community of Scotland at large. It was signed in a public manner in Edinburgh with tumultuous enthusiasm, and, as we are told, "with such mutual content and joy as those who having long before been outlaws and rebels are admitted again in covenant with God."

The stage on which this scene was enacted was the Greyfriars' Churchyard. The selection showed a sound taste for the picturesque. The graveyard in which their ancestors have been laid from time immemorial stirs the hearts of men, the more so if it be that final home to which they are themselves hastening. The old Gothic church of the Friary was then existing; and landscape-art in Edinburgh has by repeated efforts established the opinion, that from that spot we have the grandest view of the precipices of the castle and the national fortress crowning them. It seemed a homage to that elevating influence of grand external conditions which the actors in the scene were so vehemently repudiating.

Steps were taken to propagate adherence over the rest of the country. It is noticed that several existing copies of the Covenant of 1638 bear the same names. In fact, according to a practice well known in later times, the

eminent adherents of the cause—those whose names were likely to catch others—signed several Covenant sheets, which were dispersed over the country, so that obscure people in remote districts added their names in the assurance that they were in good company.

We cannot decide with exact precision on the progress of creeds and opinions, numerically, or by the numbers accepting them; but from the general tone of the literature and events of the day, it would be legitimate to conclude that at this time the Presbyterian standards had made more progress in Scotland during three years than they had made in the previous seventy. The national religion had got for its base that old spirit of national independence which had ever resented so fiercely all interference from without.

An excited wildness now took possession of the sedate Scots character, and strange things were done. In Edinburgh, Fife, and some part of the west country, the Covenant superseded all other interests public and private. A well-educated country clergyman of the north, who looked at the scene with divided interest, gives us what follows: "Gentlemen and noblemen carried copies about in their portmanteaus or pockets, requiring subscriptions thereunto, and using their utmost endeavours with their friends in private for to subscribe. It was subscribed publicly in churches, ministers exhorting their people thereunto. It was also subscribed and sworn privately. All had power to take the oath, and were licensed and welcome to come in; and any that pleased had power and licence for to carry the Covenant about with him, and give the oath to such as were willing to subscribe and swear. And such was the zeal of many subscribers, that for a while many subscribed with tears on their cheeks; and it is constantly reported that some did draw their own blood, and used it in place of ink to underwrite their names. Such ministers as spoke most of it were heard so passionately and with such frequency that churches could not contain their hearers in cities, some of the devouter sex, as if they had keeped vigils, keeping their seats from Friday to Sunday to get the communion given them

sitting; some sitting alway before such sermons in the churches for fear of losing a room or place of hearing, or at the least some of their handmaids sitting constantly there all night till their mistresses came to take up their place and to relieve them." The narrator, conscious of the strangeness of his tale, makes the remark,—"These things will scarce be believed; but I relate them upon the credit of such as knew this to be the truth."[1]

This is not all; but the rest of his story is too loathsome for repetition. We can all too readily realise what a crowd of human creatures become if they betake themselves to a lair unprovided for the abode of civilised beings. At length was reached the much-sought antithesis to the old worship, with its pomp and state, its triumphs of decorative art, and its perfumed incense.

At this time the persons heretofore spoken of by contemporary writers as "Supplicants" receive the far more renowned name of "Covenanters."

Again the dispute was suspended until the month of June. The interval was not one of idleness; but its activity showed itself rather in small fussy matters—exchanging of messages amidst blunderings and delays—than in historical events. The one significant and important sign of the times was in what was not done—in the frustration of every effort to obtain from the king a distinct utterance of his views and intentions. Further, the authors of the Great Supplication sent to him had conclusive evidence that he had never seen it. They sent it up to London to be presented to the king by three chiefs among those nobles who were not Covenanters—Lennox, Huntly, and Morton. These returned it with the seal unbroken.[2] The king forbade them to deliver it to him unless it conformed with the conditions which he had laid down both as to the matter and the manner of appeals to the throne. The Tables, on the other hand, had sent instructions that the parcel should not be opened unless the king agreed to receive its contents. The

[1] Gordon's Scots Affairs, i. 46.

[2] "Still stamped, and never stirred."—Rothes's Relation, 127.

holders of it were thus unable to tell him whether or not it conformed with the conditions.[1]

At length it was rumoured that a great potentate allied to the throne was to come as the Lord High Commissioner and representative of the king. The Duke of Lennox was, among the Scots nobles, the highest in rank and the nearest of kin to the king, in whose confidence and affection he held a high place. There was another, however, who stood nearer to the succession to the throne in Scotland. Both kingdoms had fallen to King James by hereditary succession; but Scotland came through his mother, and would go to her near collateral representative if the house of Stewart became extinct. This nearest representative was the Marquess of Hamilton, the descendant of the daughter of James II.[2] He thus was chosen to settle the vexed affairs of Scotland. The selection seemed judicious, looking to the irritable condition of Scotland. Some, however, maintained that the very condition which seemed to recommend it made it a mistake. Hamilton had an interest in any special quarrel between Scotland and the house of Stewart which might end in the separation of the united crowns; and people thought they saw the influence of this interest in the events which have presently to be told. He came, in the words of one of the bishops, "as Commissioner, with power to settle all."[3]

As the day of Hamilton's arrival approached, the leaders of the Covenanting party busily mustered their adherents, and brought another great concourse on the streets of Edinburgh. On his way to Holyrood House by the flat sandy beach between Leith and Musselburgh, he passed between two rows of the principal Covenanters, lay and clerical. The clergy were estimated at five, by some at six, hundred—surely a large number for Scotland to send to one spot, even though it is explained that a portion of them were refugees from Ireland. A dense crowd, computed as containing twenty thousand people, gathered round.

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[1] Rothes's Relation, 98, 127.

[2] See chap. xxix.

[3] Guthry's Memoirs, 66.

They had commissioned Livingston, "the strongest of voice and austerest in countenance,"[1] to assail him with a speech; but the Commissioner managed to evade its public discharge, and hear it in private.[2]

A separate incident, small itself, but giving an opening to large and formidable conclusions, had just stirred the multitude. A ship had arrived in Leith Roads with a cargo of ordnance, musketry, powder, ball, and other munitions of war. It was the ship of a private Leith merchant, but had been freighted by the Government. The Covenanters, who, as we shall have to see, were beginning to raise money, placed guards to intercept the removal of these stores to Edinburgh Castle. They were quietly conveyed by night from the ship to the Castle of Dalkeith; and in vindication of this step it was described as a mere precaution to save the stores from being seized by the Covenanters.[3] These, on their part, said that there were other suspicious doings at Dalkeith, such as the

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[1] Rothes's Relation, 115. [2] Baillie's Letters, 83.

[3] An incident connected with this vessel was an example, in a petty shape, of the prevailing national propensity to carry political points through the machinery of private litigation. It was found on inquiry that a merchant in Leith, named Patrick Wood, had acted as shipping agent in the matter. Hence "the report of Patrick Wood having a hand in that ship business did so commove people's minds that he durst not come abroad out of the house, and provoked some of his creditors to charge him for payment of many and great sums whereby he was in danger to be broken"—that is, to be made bankrupt. In his difficulties he sought the protection of some of the leaders, and obtained it on declaring "that he would employ whatsoever he was worth in the service of the Supplicants for the advancement of the common cause."—Rothes's Relation, 133.

Baillie writes to the same purport: "Wood is much detested by all for his readiness in such employment. He is called to the commissioners' table ofter than once, and strictly examined. His answers at first were somewhat proud; but at once his courage cooled when his bands began to be posted to the registers many in one day. Much he did quickly pay; the Covenant without delay he did subscribe. Many good friends did for him what they could; yet all had enough ado to keep him from the hands of the people, and hold off for a time his numerous creditors."—Letters, &c., 80. "Posting his bands" meant putting his pecuniary obligations on record, so that they might be immediately enforced against person and property.

erection of a new drawbridge. Their suspicions lay between the strengthening of Dalkeith and the removal of the military stores to the Castle of Edinburgh. To make matters sure, having now men and money at their disposal, they sent armed parties to hold the communications with the castle and stop the passage of the stores. This looked very like a blockade of a royal fortress; and Hamilton said he could not, as royal commissioner, enter a town where such a thing was done, and hold peaceful conference with those concerned in it.

There was a stiff suspicious discussion on this point. The Covenanters took strong assurances from the Council —some of them personal obligations which almost amounted to the rendering of hostages—that nothing would be done while Hamilton professed to be among them for the purpose of giving them satisfaction in the matter of their supplications. It was even conceded to them, that to satisfy themselves of his fair dealing they might keep persons to hold watch around the castle provided they were not an armed guard. "Whereupon," we are told, "order was given for breaking the public guard; and eight were appointed to stay in a house in the West Port, and two of them by turns to walk still betwixt the West Port and the West Kirk, without any other weapons than swords about, which was a way unsuspect."[1] Hamilton was angry that assurances should have been given to the Covenanters—he would rather they had been left to act on their peril; and he threatened to withdraw the assurances. He did not execute this threat; but the unarmed guard were troublesome and suspicious, and on one occasion searched his wife's luggage, or, as it was put, "had riped my lady marquise's trunks."[2]

Perhaps as much as most people may care to read has been taken out of the supplications, protestations, and other documents of the Covenanters, which had now accumulated to an appalling mass, ever increasing. But on one point it is as well that, before going further, we take the impression of their distinct utterance. As yet no concession had

[1] Rothes's Relation, 140.

[2] Ibid., 163.

been made by the king. The events now to follow are sometimes told so as to leave the impression, that ever as the king yielded point after point, the pitiless Covenanters pressed on him and demanded something more. A great deal might be taken from the documents of the day without disturbing this impression. It comes naturally to the mind of those whose notions of history are learnt from the classic fables, and who love to meet with an example of the moral announced in the story of the Sibylline books.

It is certain, however, that before the king announced any concession, the demands of the Covenanters were complete. They announced them with a distinct candour, which, like so many other things, shows their consciousness of their own power. Their primary demands were, the abolition of the Court of High Commission; the withdrawal and disavowal of the Book of Canons, the Book of Ordination, and the Service-book; a free Parliament; and a free General Assembly. That there might be no mistake on these points, they were stated with much fulness, some time before Hamilton's arrival, in a paper called "The least that can be asked to settle this Church and Kingdom in a solid and durable Peace." It was prepared by Warriston and Henderson; and the reasons for its promulgation were: "At that time the Supplicants, finding both bishops and statesmen incline to urge a discharge of the Service-book, Book of Canons, and tempering the High Commission as it was in King James's time, did think it necessar to set out something for informing the people in the nature of our desires, that so they, being found so necessary, might not be deceived, nor taken with the suggestions of such as thought the discharge of the books and tempering of the High Commission sufficient."[1] They did not conceal their expectation that the Parliament and Assembly, when they set to work, would repeal the Articles of Perth, and other offensive measures of their own enacting—perhaps would abolish Episcopacy.

Hamilton and other friends of the king dealt with the leaders of the Covenanters to guarantee certain limits

[1] Rothes's Relation, 96.

which the Parliament and Assembly should not pass; but these answered that it was impossible for private persons to dictate what a supreme legislature would do or abstain from—if they promised any such thing, they would undertake what they could not perform.[1] Here, certainly, the Covenanters had the better argument. We get glimpses of curious little devices suggested for outweighing the Covenanting interest in a possible Parliament or Assembly. They had on previous occasions been unable to make majorities north of the Forth; why not, on this occasion, try Aberdeen, the Cavalier city, where Huntly's influence prevailed? The reason of the suggestion, in Covenanting view, was, "because the ministers and professors of the university there are unsound, and the people thereabouts for the most part more averse to our Covenant than any in Scotland." "But finding the Supplicants would come there in great numbers, as to a place suspected, the Commissioner changed his resolution."[2]

After Hamilton's arrival as Commissioner, there was a long diplomatic contest, tedious, and in some measure monotonous, relieved by a few spirited passages-at-arms. The Commissioner opened the eyes of astonishment with a demand for "the rescinding of the whole Covenant" as the only way to make peace with the king. Those he addressed "showed that was utterly impossible, and cleered it would be gross perjury in them, and so could not but be grievous to his majesty to have such a pack of perjured subjects; and said they wished his majesty's subjects in England and Ireland had subscribed the like Covenant—it would be much to his majesty's advantage, and a greater type of their fidelity."[3] It was suggested, as a sort of retort against the new demand, that it would be more suitable for the king himself to sign the Covenant.

The Commissioner extolled the king—his domestic virtues—his conscientious sense of justice—his love of

[1] Rothes's Relation, 167.
[2] Narrative appended to Rothes's Relation, 220.
[3] Rothes's Relation, 122.

his subjects, and especially those of his Ancient kingdom —and, finally, his devoutness. On this last he entered on particulars with results very unfortunate, for what he called piety was denounced as superstition and a dallying with the Scarlet Lady — Master Alexander Henderson proved it so infallibly.[1]

The following little passage in these discussions has some interest. Hamilton "besought that they might be temperate, and not crave those things which the king could not in honour grant. He believed he had granted that which might justly give satisfaction; which accepted, might establish religion, and make us the most glorious nation under heaven for such an act. But if we should be so foolish, because we had now gotten together a number of our religion, as to think to give laws to the king, we should find ourselves deceived. For where now our cause was pitied, as people who suffered, and who were seeking but to be repaired, if we should require the king to do that which is against standing laws, and, as it were, force him to do against his mind, and to the prejudice of his honour, our dealing will be made known to the world; and where England now pitieth us, thinking we get wrong, as he believeth few or none would rise with the king if he were to come and force us;—so, if they shall understand what injury he receiveth, none would refuse to accompany him, and he would come in person with forty thousand out of England, besides his forces by sea and out of Ireland, to force us to our duty; so should we be the most miserable nation in the world."[2]

A significant feature in these persuasives is the reference to the sympathy of the English with the stand taken in Scotland. Those to whom he appealed knew the extent of this sympathy too well to give heed to the supposition of its sudden reversal, and treated the allusion to an invading army of forty thousand men as a chimera.

At that time the Covenanters had able spies at Court. They knew much of what passed at secret conferences between the king and his immediate advisers, and were,

[1] Rothes's Relation, 144. [2] Ibid., 136, 137.

among other things, aware of the instructions which Hamilton had brought. On this point a contemporary affords a revelation which has been accepted in the present day as sound. The informers of the Covenanters were four Scotsmen, grooms of the bedchamber, and chief among these, William Murray, afterwards Lord Dysart.[1] "These grooms," we are told, "made bold with the king's pockets at night, and took out such letters as he had received; if of importance, they copied them out, putting up the principals into the king's pockets, and despatching the copies according to the present exigent. This was so well known, that on a time, Archbishop Laud, writing to the king, spared not to add to the letter, being of consequence, 'I beseech you, sir, trust not your own pockets with this,' alluding to his bedchamber grooms their practice."[2]

Surely the obtaining State secrets by picking a king's pocket is, like other devices of a rapid and palpable character, limited to theatrical performances. He who tells the story was a country clergyman, sagacious and accurate as to the doings of his brethren and their supporters in Scotland, but probably not well acquainted with the interior mechanism of a regal court. However they got their information, the Covenanters knew that Hamilton had brought a proclamation, and that its tone was so unwelcome that they would require to meet it with that response of mysterious power, a "protestation." Whether it was that there was some imperfection in their knowledge of the tenor of the proclamation, or that in reality there were two forms of proclamation, the one or the other to be used as circumstances or local counsel might determine,—there were two alternate forms of protestation, the one or the other to be uttered according to the tenor of the proclamation. These forms, carefully prepared by the trusty and skilful Warriston, were printed and sent by

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[1] The same who, according to Clarendon, gave warning of the king's intention to seize "the five members" in the House of Commons.

[2] Gordon's Scots Affairs, i. 50.

the Tables to their agents in all places where there was a chance of the proclamation being issued, so that it might at once be met. Hamilton, too, saw arising in front of the cross the stage or wooden platform whence his outnumbering enemies were to assail him. He was eager and anxious either to silence this engine of political contest or get beyond its range. All threats or persuasions to drop it were utterly in vain—the more earnestly he pressed them, the more did the Covenanters feel the importance of uttering their protestation.

If we could conceive all the suspicions of Baillie, who saw all, to be well warranted, we must believe that the Commissioner dealt with the Covenanters rather like a nimble debtor evading his creditors than a statesman. When those who watched the cross saw it swept for the reception of the usual heraldic hangings, "all our people convenes—some thousand gentlemen with their swords loose on their arms—about the cross." At sight of this the Commissioner ordered to horse; and in the belief that he was to escape and issue the proclamation in some place where no protesters would face him, a body of the Covenanting gentlemen took horse also, ready to give chase. Then it was reported that in his desperation the Commissioner had set off to Court, and nothing would be done till he received fresh instructions, when suddenly he appeared at the cross at mid-day, and the proclamation was read. This was not done so nimbly but that a mob gathered; and Warriston, with a small group of supporters, was on the scaffold to read one of his protestations instantly on the reading of the proclamation.[1]

This renowned proclamation is a lamentable type of uncertain counsels; and subsequent events bring it forward on historical record as an instance of the peril of such uncertainty. The king might have taken either of two courses. He might have demanded obedience, and threatened to enforce it by an army, taking steps at the same time to execute his threat. So sudden an alternative, by which those who were speaking devoted loyalty

[1] Baillie's Letters, 85, 91.

would have to fight against their king, would have told off at the beginning those whose devotion to the Crown was stronger than their devotion to the Covenant. The other, and of course the far safer course, was to meet the demands of his Scots subjects with a hearty acquiescence. Very readily they would have admitted the excuse of misinformation and evil counsel; or if he had disdained the shelter of such a plea, he could have thrown the whole future on a Parliament and General Assembly summoned immediately, and left free each to its own action. But his course was neither defiance nor acquiesence, but a combination of the evil elements of both. He rates his subjects for their disobedience and turbulence; yet, "grieving to see them run themselves so headlong into ruin, are graciously pleased to try if by a fair way we can reclaim them from their faults, rather than to let them perish in the same." He again abjures Popery: "We neither were, are, or by the grace of God ever shall be, stained with Popish superstition; but, by the contrary, are resolved to maintain the true Protestant religion already professed within this our ancient kingdom." This was, no doubt, said in judicious harmony with the popular spirit in Scotland, and would have accorded well as a preamble to a frank and full revocation of all the innovations. On this, however—the practical question at issue—the assurance was of this curious tenor: "We do hereby assure all men that we will neither now nor hereafter press the practice of the foresaid canons and Service-book, nor anything of that nature, but in such a fair and legal way as shall satisfy all our loving subjects that we neither intend innovation on religion or laws."

It is scarcely possible to believe that those who drew the papers containing these terms hoped or intended that they should satisfy a sagacious and resolute people. They are like those ambiguous responses of the oracles, which had the juggle in their very face apparent to all men who read them with sense. The words contain a tacit admission that the Service-book and canons had been pressed in an unfair and illegal way; but now they were to be pressed in a "fair and legal way." The result was the

same—still they were to be pressed. It was clear that this left the question where it stood. And though the proclamation announced the calling of "a free Assembly and Parliament," that was to be done "with our best conveniency," which was interpreted as an indefinite postponement. The protestation, which is several times as long as the proclamation, did not miss these points. In other respects it is one of a long series of documents, tiresome from repetition and monotony. Reiteration, in fact, had become the policy of the party. There is something powerful in a demand ever repeated in the same terms, with no variation in matter and little in manner. Perhaps the business-like precision and success of the movements of the Covenanters, and the aspect of blunder and feebleness in all the documents coming from the throne, may be both explained by Bishop Burnet's account of the leading lawyers of the time—some of them the sworn champions of the Covenant, and others the reluctant, if not treacherous servants, of the Crown: "Many lawyers were of the Covenanters' side, and chiefly the king's advocate, Sir Thomas Hope, which was one of the greatest troubles the marquis met with; for he being a stranger to the Scottish law—in which the other was skilled as much as any was—was often at a great loss, for he durst advise with him in nothing, and often the king's advocate alleged law at the council-board against what he was pressing. Of this he complained frequently to the king, and intended to have discharged him the Council; but he durst scarce adventure on it, lest others should have removed with him. He tried what he could do to get some lawyers to declare the Covenant to be against law; but that was not to be done. Sir Lewis Stewart promised private assistance, but said that if he appeared in public in that matter he was ruined. Sir Thomas Nicolson, who was the only man fit to be set up against the king's advocate, though he had never all his life before pretended to a nicety in these matters, yet began now to allege scruples of conscience."[1]

[1] House of Hamilton, 53. Some revelations of the policy of the king's advisers in Scotland might have been expected from the ample

Before this affair of the proclamation was over, the Commissioner found that even within the council-chamber itself the royal authority was trembling. Some of the Council cavilled at the manner in which the proclamation had passed their board. Some of the impugners had been absent; but others had assented, and now desired that the matter be reconsidered, with a view to revoking their assent. They threatened to show their opinion in emphatic shape by taking the Covenant. We are told that "the marquis, having spoken with the whole Council apart, found that three parts of four would immediately fall off if he gave them not satisfaction; and judging that such a visible breach of the Council might ruin the king's affairs, therefore, since the Act was not registered but only subscribed, he thought the course that had least danger in it was to tear it before them—by this means he got that storm calmed."[1]

Diary of Sir Thomas Hope during these eventful times. He was one of the very few men uniting the position of a statesman, with a zeal, to all appearance honest, in the religious aspirations of the Covenanters. His heavy Diary is a puzzle, and one wonders why literature has been burdened with it, unless it might be to show how men devoted to heavy affairs of business and politics can find it pleasant to abstract themselves from the serious business of life to record its dreariest trifles. Instead of the record of a statesman, or a man of any other section of the world, his daily entries are like those of a peculiar officer known in some great establishments—an officer who has to keep a record of all the messages and letters coming into or going out of the department he belongs to—one of the kind supposed to do his ministry all the better that he has a sort of preternatural capacity to preserve in himself utter ignorance of the affairs to which the communications passing through his hands bear reference. The entries on "14th Januar 1637," for instance, begin: "Delyverit to the Lord Alexander ane pacquet to my Lord Stirling, quhairin to himself one, with another bearing the articles whilk I intend to send to his majesty, having his approbation. Item: In his a pacquet to my son Mr Alexander, quhairin to himself from me and my two sons and from Mary. Item: Letters to be sent to Mr James from me and his two brethren and Mary." Of the great first act of the war—the outbreak in St Giles's—the following is considered a sufficient commemoration: "23d July 1637, Sunday.—This day the Service-book begoud to be read within the kirks of Edinburgh, and was interruptit be the women."—P. 64.

[1] Burnet's House of Hamilton, 64.

When Hamilton returned to Court, the king had a grave discussion on the condition of Scotland with him and "my Lord of Canterbury;" and the end was the devising of a plan of compromise, with the particulars of which, as they were never ground of public action, it is not necessary to burden this narrative. Its chief point of policy was to substitute the original Confession of Faith, adopted by the Parliament of 1567, for the negative or repudiative Confession of later times, which was the foundation of the Covenant.[1] The bishops were to be saved by giving way to "as few restrictions to their power" as might be. The Commissioner was to "labour that the Five Articles of Perth be held as indifferent," and perform several other feats which were to leave no distinct or tangible mark behind them.

If the royal mind had been, and was again designed to be, obscurely or illogically uttered to the people, it was in confidence let out to the Commissioner himself with thorough clearness and precision. When the leaders of the Covenant party, whether by pocket-picking or otherwise, became acquainted with the secret instructions sent by the king to Hamilton, they must have seen to a thoroughly satisfying extent the policy that was to be dealt out to them. There are two ends as to which there may be clearness in State papers. The one is as to the superficial acts to be done, the other is as to the policy or public morality which these acts are intended to further. Clearness in the former is more usual than it is in the latter. But it may be said of the king's instructions, that they were eminently clear in both. It is rare to find State papers so responsive to the inner secrets of the heart. These instructions reveal everything, and would be spoilt by explanation or comment. After some practical suggestions about Edinburgh and Stirling Castle, which, if there should be immediate fighting, might be counted as lost, there follows :—

"And to this end I give you leave to flatter them with what hopes you please, so you engage not me against my

[1] Burnet's House of Hamilton, 66.

grounds; and in particular, that you consent neither to the calling of Parliament nor General Assembly until the Covenant be disavowed and given up—your chief end being now to win time, that they may not commit public follies until I be ready to suppress them. And since it is, as you well observe, my own people which by this means will be for a time ruined, so that the loss must be inevitably mine; and this, if I could eschew, were it not with a greater, were well. But when I consider that not only now my crown but my reputation for ever lies at stake, I must rather suffer the first, that time will help, than this last, which is irreparable. This I have written to no other end than to show you I will rather die than yield to those impertinent and damnable demands, as you rightly call them; for it is all one as to yield, to be no king in a very short time." "*Postscript.*—As the affairs are now, I do not expect that you should declare the adherers to the Covenant traitors until, as I have already said, you have heard from me that my fleet hath set sail for Scotland, though your six weeks should be elapsed. In a word, gain time by all the honest means you can, without forsaking your grounds."[1]

These instructions came along with a crowd of announcements about the money likely to be made available by the Chancellor of the Exchequer—the numbers of men that it will bring into the field—the ordnance, ships, and other materials for a great war at the command of the king. And in all this it is curious to observe a characteristic deceptiveness that must have comprehended self-deceit; for one would imagine from these letters that Charles I. had a genius for adjusting means to ends in warfare, and could take an exact estimate of all the details of the military position of the nation. The history of the war shows that he was signally deficient in these qualities, and that he had not the kingly art of gathering around him those who were expert in them.

That the Covenanters were aware of these instructions, came out in the General Assembly, where Hamilton had

[1] Burnet's House of Hamilton, 55, 56.

to meet the accusations founded on them. He did this so as to show himself an apt pupil in the school of politics, in which his instructions were a practical lesson. In the course of vindicating his master against certain charges, he, with the instructions just quoted in his possession, and evidently, from the identity of phraseology, also in his view, said: "The next false, and indeed foul and devilish surmise wherewith his good subjects have been misled is, that nothing promised in his majesty's last most gracious proclamation—though most ungraciously received—was ever intended to be performed, nay, not the Assembly itself; but that only time was to be gained, till his majesty by arms might oppress this his own native kingdom,—than which report hell itself could not have raised a blacker and falser."[1]

For whatever judgment is passed on the subsequent acts of the Covenanters, their knowledge of the passages just cited must be part of the material.

And now there comes a new act in the drama, as we see it in the face of the external history of the times. It is all a surprise, as if the curtain rose on novelties brought to perfection in secret behind the scenes—unless, indeed, the passages just quoted be held to afford a glimpse of the inner mechanism. There is now to be an entire surrender. A free General Assembly is to be held, and then a free Parliament. The Service-book, the Book of Canons, the Court of High Commission, the Five Articles of Perth, are all to go. The bishops are to be handed over to the Assembly for trial. The king and his Court are virtually to become Covenanters, and all their opponents are to be pardoned and embraced in amity. The "ample instructions" for this sweeping resolution were addressed to Hamilton with the date of the 10th of September, and begin in this promising fashion:—

"You shall in full and ample manner, by proclamation and otherwise, as you shall see cause, declare that we do absolutely revoke the Service-book, the Book of Canons, and the High Commission. You shall likewise discharge

[1] Burnet's House of Hamilton, 94.

the practice of the Five Articles of Perth, notwithstanding the Act of Parliament which doth command the same; and in the said proclamation you shall promise in our name, that if in the first Parliament to be held the three Estates shall think fit to repeal the said Act, we shall then give our royal assent to the said Act of repeal.

"You shall likewise declare that we have enjoined and authorised the Lords of our Privy Council to subscribe the Confession of Faith, and bond thereto annexed, which was subscribed by our dear father, and enjoined by his authority in the year 1580; and likewise have enjoined them to take order that all our subjects subscribe the same."[1]

Before opening a new chapter in the intellectual and religious history of the struggle, as developed in the deliberations of the Estates and of the General Assembly, let us give a glance to the shape and character of the formidable forces of a material kind to which the dispute was giving an organisation. On the side of the Covenant the first force to enter the field was the mob, and it was, within its own low and rather ineffective sphere, formidable throughout. A Scots mob has ever been a monster signally destitute of good taste, and, it may be said also, of good feeling. It has all the bad qualities of an English mob somewhat intensified. There is, when it is really let loose and acting on its own impulses, the same want of reverence either for existing or for fallen greatness. It has the same exultation in heaping degradation, scorn, and low practical sarcasm on its victim. But it has also the same abstinence from the knife, the free use of which makes the mobs of other communities so much more picturesque. Principal Baillie, writing under the influence of the exciting scenes he daily saw, says: "I think our people possessed with a bloody devil far above anything that ever I could have imagined, though the mass in Latin had been presented."[2] Yet the tumults were bloodless save for occasional bruises, and we hear of no life taken in any of them.[3]

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[1] Burnet's House of Hamilton, 72, 73. [2] Letters, i. 23.

[3] Of the scenes occurring throughout the country, the following

Such violence as there was, however, was not entirely the work of the vilest of the people. About the feminine rabbling described in the note below it is said: "This tumult was so great that it was not thought mete to search either in plotters or actors of it, for numbers of the best quality would have been found guilty."[1] This touches an accusation profusely cast on a stratum of society higher than the usual elements of a mob. It was said that people of wealth and respectable position gave countenance to these outrages. No doubt they did so, and there is as little doubt that there was a strong social pressure to force in adherents to the Covenant. The pressure to this end was of a kind that, practised in the present day, would be called unreasonable, unjust, perhaps cruel. The majority were strong and resolute. But the sacred cause was not left to chance influences. The Tables, like thorough men of business as they were, organised a staff to complete the work. The central body, sitting in Edinburgh, received reports from counties. In each county a local authority received reports from the several parishes as to the completeness of the organisation for obtaining signatures. The parochial committee saw that each adult member of the

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may be taken as a fair specimen, pretty distinctly described: "Mr John Lindsay, at the bishop's command, did preach; he is the new Moderator of Lanark. At the ingoing of the pulpit it is said that some of the women, in his ear, assured him that if he should touch the Service-book in his sermon, he should be rent out of the pulpit. He took the advice, and let that matter alone. At the outgoing of the church about thirty or forty of our honestest women, in one voice, before the bishop and magistrates, did fall in railing, cursing, scolding, with clamours on Mr William Annand—some two of the meanest was taken to the tolbooth. All the day over, up and down the streets where he went, he got threats of sundry in words and looks. But after supper, while needlessly he will go to visit the bishop, who had taken his leave with him, he is not sooner on the causeway at nine o'clock, in a mirk night, with three or four ministers with him, but some hundreds of enraged women of all qualities are about him with nieves [viz., fists] and staves and peats, but no stones. They beat him sore. His cloak, ruff, hat, were rent. However, upon his cries, and candles set out from many windows, he escaped all bloody wounds, yet he was in great danger even of killing."—Baillie's Letters, i. 21.

[1] Baillie's Letters, i. 21.

parish signed, or otherwise gave his adhesion to the Covenant. The organisation for exacting allegiance to this standard was as complete as that which any well-regulated state establishes for the collection of its taxes. Over the districts where the organisation had the mastery, no one worth claiming as a partisan was permitted to evade the pledge. Those who would not yield had to seek refuge in the districts where the Cavaliers prevailed. In knowing that such a thing was accomplished, we know that a powerful apparatus of oppression must have been at work; and yet, in comparison with other instances where a political project has been carried by force, this stands forth as honourably exempt from the stain of blood—there was no slaughter until the sword was drawn in honest warfare.

The Highlanders through the vast western districts where Argyle's influence prevailed, of course followed their chief with the fervid vehemence of their race. The Covenanters found eminent success where they were less sanguine—in Inverness, Ross, and the other districts to the north of the Moray Firth. In Sutherland "it was professed by all that it was the joyfullest day that ever they saw, or ever was seen in the north; and it was marked as a special mark of God's goodness towards these parts, that so many different clans and names, among whom was nothing before but hostility and blood, were met together in one place for such a good cause, and in so peaceable a manner as that nothing was to be seen or heard but mutual embracements, with hearty praise to God for so happy a union."[1] In Inverness the town's drummer or crier proclaimed the obligation of signing the Covenant, with the alternative of heavy penalties against all who were obstinate or slothful; and it was said, in excuse for so open a threat, that the officer, being accustomed to denounce legal penalties against defaulters, had followed routine and custom on the occasion without reflecting on the peculiar character of the demand.[2]

Scotland was not at that time at the absolute command of Edinburgh, or any other centre. Separate districts had

[1] Rothes's Relation, 106. [2] Ibid., 107.

organisations of their own, by which, under any weaker government than the monarchy and the Estates, they would have grown up into separate principalities, like German grand-duchies and margraviates. The greatest proprietor in such a district, of course, had the chief influence. The heads of houses were not always isolated in their separate fortified mansions. They had their winter hotels in the head burgh of the county, or other chief central town ; and here, around the chief lord of the district, a social circle was created, which had in it something of the nature of a court.[1]

Perhaps the most isolated and compact of these half-independent communities was that district which owned the city of Aberdeen for its capital. It was peculiarly endowed with the characteristics of a seat of government. It was a cathedral city ; and it had its universities, around which gathered a group of scholars who were not all ecclesiastics. Many of them—such as the Johnstons, the Forbeses, Baron, and others—had a reputation for scholarship widely spread over Europe. The commerce of the district had made it affluent for the period. Many rich landed proprietors had their town residences there, and among these was the Marquess of Huntly, the most powerful subject in Scotland. The map shows the district to be naturally separate from the rest of Scotland, stretching far eastward into the German Ocean. It had thus the means of uninterrupted communication with the European continent by sea. In the minds of the zealous Protestants there were horrible suspicions as to the doctrinal poison thus brought into the land, not only in the shape of Popish books and symbols of idolatry, but of seminary priests and other zealots, who, on their arrival, were protected and encouraged in their devilish labours by the pestilent Popish house of Huntly.[2]

[1] The most attractive specimens of these provincial town hotels will be found in Maybole, in Ayrshire, the capital of the old bailliary of Carrick, where the Kennedys held sway.

[2] That these suspicions were not utterly visionary, may be seen by a glance at a very curious and instructive volume, printed by the Spalding Club, with the title, 'A Brieffe Narration of the Services

The community of this district felt themselves strong enough to venture on a policy of their own, and it was not that of the Supplicants and the Covenant. Nor do they appear to have favoured Laud's innovations. They desired to see things remaining as they were—the bishop with his limited powers, and the old Book of Common Order with its restricted ritualism. At all events, the majority among them refused to accept the Covenant, and were condemned as schismatics, who must be brought to order. With Huntly and his Popery they had as little in common; but a political alliance with him was natural, and in a manner inevitable. Looking to his Lowland domains alone, he was the greatest feudal lord of the district. That north-eastern district had been from time immemorial inhabited by a people of an expressively Teutonic character. Up in the mountains towards the west, Huntly had a following of a totally different origin. We have seen how his house strove with that of Argyle for predominance among the people of that old Highland state for which Donald of the Isles fought at Harlaw. The statute law aided the aggregation of the Highlanders under great leaders, by the Act which required them to find some one who would be surety for their conduct, otherwise they were counted "broken men" and outlaws. Besides their Highland territories, the Gordons had large estates in the northern Lowlands; and the chiefship of their Highland following gave them an influence far beyond the boundary of their domains The Highlander

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to three Noble Ladyes, by Gilbert Blakhal, Priest of the Scots Mission in France, in the Low Countries, and in Scotland, 1631-1649.' He was not merely the spiritual champion of his faith, but he led the life of the man of temporal warfare who is on duty within the enemy's lines, and carries his life in his hands, to be preserved only by courage, ceaseless vigilance, and a skilful command of weapons. Whatever one may say of the creed to which he adhered, it is impossible to withhold admiration from the deep sincerity and the sacrifice of all personal considerations which could lead him and others of his set through the succession of perils and hardships which pursue each other in his narrative—a narrative all the more valuable that it was not intended for publication—it was only prepared as an articulate statement of his services to those who were concerned about them.

could not be absolutely trusted to withhold his furtive hand from the flocks of his chief's friend, but it was better to be the friend than the enemy. On the whole, the peace, prosperity, and security of a large district, inhabited by a frugal and industrious people, depended on the way in which "the Cock of the North" handled the Highlanders, whether friends or foes.

This great house, as we have seen, had its calamities; but it had an inherent vitality which ever restored it, and, like the house of Brandenburg, every considerable period of years brought enlargement to its powers and possessions. The battle of Glenlivet in 1594 brought it through a formidable crisis, and dealt a blow to the rival house of Argyle. It had other ways of strengthening its hands less dignified than victorious warfare, and every characteristic of the spirit of legal formality, which gave a technical colour to so many transactions, both great and small. The house of Gordon was noted for its frequent practice of exacting "bonds of manrent." Such a document, in return for favour and protection, covenanted that he who signed it should follow the banner of Huntly and take the name of Gordon. If he ever used any other name in any matter of business or otherwise, he engaged to pay a penalty for so doing; and he was to take part with his patron in all feuds and disputes. The rise and progress of such a house, in the contests with rivals and the absorption of smaller powers, must have made a story of stirring and tragic interest, had it happened to be plainly and minutely told by one well instructed in the details of what he records.[1]

[1] Such, though but for a short period, is the account of the family, mixed up with other matters in the history of the Troubles, by the commissary-clerk of Aberdeen, occasionally cited in this volume. Accounts so thoroughly minute and distinct as his can only, however, be given by contemporaries of the events recorded, and the story of a family or a district so told would require to be taken up by successive recorders. The best local history of the Gordon family and their allies and retainers is to be found in the 'History of the Earldom of Sutherland,' by Sir Robert Gordon. There is a book in two volumes 8vo (1726-27), called 'The History of the Ancient, Noble, and Illustrious Family of Gordon,' by William Gordon. This book, as it calls

In such a narrative it would not always be found that the aggrandising house was the aggressive or greedy party in all quarrels and contests. It enters the stage as the kindly paternal mediator—perhaps as the chivalrous redresser of wrong, or the generous assistant of the stricken or oppressed—but, as the nature of prosperous houses or states is, the end is ever to help on the waxing wealth and power of the house of Huntly.

For following up this special local history in its details there is no room here; but perhaps allowance may be made for a brief account of an incident in the progress of the house, which happens to be the latest of special moment at the time we have now reached.

The tragedy called "the Burning of Frendraught" has to the northern peasant as distinct a tragic place in history as the Sicilian Vespers or the night of St Bartholomew may have for those whose historical horizon is wider.

Of the house of Crichton, which we have seen rising to great splendour in the middle of the fifteenth century, one branch had made a settlement northward of the Grampians. They held the lordship of Frendraught, in the heart of the country of the Gordons, to whom they were becoming formidable rivals. Huntly was a great favourite with King James; but Charles thought his power too great to belong to a subject, and it was the policy of the Court, without any acts of direct hostility, to unnerve his strength. The best way to accomplish this was by cherishing and encouraging the Crichtons, so as by Court influence to bring them as near as might be to a balance with the local feudal power of the house of Huntly. Some threatening incidents of feud had occurred between the two houses just before the period we have now reached. In a small battle between the Crichtons and a party of Gordons, an important member of this family, Gordon of Rothiemay, was killed. The clan was stirred, and ven-

itself a family history, and is rare, stands in high esteem among collectors, and is purchased by them at a large price. But for the purposes of a reader it is utterly worthless. It draws nothing from family papers or local information, and is a mere compilation from the received histories of Scotland at the time of its publication.

geance demanded. On a calculation of chances, the Crichtons felt that it would go hard with them. The Marquis of Huntly—then a man about seventy years of age—took on himself something like the state and policy of a prince who was too great to be quarrelsome or vindictive. He desired that the feud might be "compounded;" and in the end the Crichtons agreed to pay to the bereaved widow and children of Rothiemay an "assythement," as it was called, of fifty thousand merks. Such a settlement was not considered degrading or unbecoming. The Gordons would in the course of their vengeance have swept away the sheep and cattle of the Crichtons, and the fine bought off the harrying. This settlement was adjusted while all parties were enjoying the hospitalities of Huntly's Castle of Strathbogie. When the Crichtons set off to return home they felt a difficulty. In a recent squabble one of them had shot the son of Leslie of Pitcaple. The young man lay on his deathbed, and the father swore that he would have vengeance. Nor could Huntly's influence prevail to avert it. In fact it was known that he lay in wait with an armed band to attack Frendraught's small party on their way home. The old marquis would not have it said that his guest departed from his hearth to encounter danger, so that a party of the Gordons was sent as a convoy towards Frendraught. It was commanded by the heir of the house of Gordon, the young Lord Aboyne, and he was accompanied by the son of the slain Laird of Rothiemay.

The party were too strong to be attacked, and the Crichtons reached their own fortress in safety. Here it was pressed on the Gordon leaders that they should accept a reciprocity of hospitality, and remain all night beneath the roof of the Crichtons. The lady of the house, it was said, urged this with kind vehemence—it was so pleasant to see old enemies reconciled, and the exchange of hospitality would so becomingly crown the new friendship.

The party yielded to these entreaties, spent a jovial evening, and went to rest. It was observed afterwards that Crichton had that night under his roof the heir of his

great feudal enemy, and the son of the man for whose slaughter he had agreed to pay a heavy penalty.

All the Gordon party were lodged in the square tower of Frendraught, and no others slept in that tower. The lowest storey was vaulted with stone, and in the arch there was a round hole for passage by a ladder to the floor above. This and other two floors were constructed of timber. We are told exactly how the Gordon party were distributed over these three wooden floors, Aboyne occupying the lowest, along with Robert Gordon and his page, "English Will."

At midnight the woodwork of the tower was seen to blaze up and light the country for miles round. Next morning nothing remained of the Gordon family but calcined morsels of flesh and bone, hardly to be distinguished from the ashes of the timber.

Then arose the immediate question, Was this calamity an accident? The Gordons at once said no—it was planned; gunpowder and combustibles had been piled in the vault below for the occasion. All the fastenings of the tower had been especially secured, and the Lord and Lady Frendraught looked on from without, casting gibes at the victims as they vainly struggled against the iron bars of the windows. If this was true, the deed went far beyond the licence of feudal vengeance. There was a story of a feudal chief who, finding himself unable with due hospitality to entertain a body of guests who were thrown upon him, burnt down his hall while his guests were in the hunting-field. Here, too, the ancestral hall had been sacrificed; but it was for the murder of those who had not only partaken of the sacred bread and salt, but had fallen into the trap in the performance of an act of chivalrous generosity.

Whatever might be the wish of the Court to foster the Crichtons, such an incident could not pass unnoticed. So far as the accumulation of a heap of technical documents, curious to the forensic antiquary, can attest the sincerity of the powers to fathom the mystery, that testimony stands still on record. The Frendraught cause of 1630 is one of the earliest in which we have, besides the

testimony of witnesses, the pleading of counsel aiming at a display of forensic eloquence.[1] A commission sent to inspect the premises reported that the fire could not have been accidental, but was raised by design within the building. Justice seemed so earnestly at work that for a short period the Lord Frendraught was in prison, but he was not brought to trial. Certain retainers of his, however, were marked off as victims; and letters of fire and sword were issued, that they might be hunted through the land. The chief among these, named Meldrum, was found guilty of the act, hanged, and quartered. He seems to have been concerned in the deed; but a certain shadow of suspicion lies on a turn in the process which brings him into a quarrel with his old master Frendraught as his motive for the deed.

This great tragedy was handed down in the history of the north from generation to generation, even to the present day. It was sung in the hexameters of Arthur Johnston, and in the rhyming ballads of the common people. The public feeling against the Crichtons waxed strong. It inflicted on them a strange mysterious punishment, which seemed like a blight or judgment of a higher power, yet was in reality a simple and natural consequence of human conduct. They were deserted. It was a natural result of this doom that they should become the victims of "the broken clans" of Highland reivers. Against these the deadliest enemies to each other among the Lowlanders were wont for the time to combine, but no one would take part with the Crichtons. The marauders hovered round them like vultures round a wounded man. They came from all parts of the mountain districts, and met at Frendraught as at a common centre where the business of all lay. A field of prey so inviting tempted the MacGregors from the far-off banks of Loch Katrine, and they appeared under their leader Gilderoy, a robber-

[1] A considerable collection of these documents from the records of the Justiciary and the Court of Secret Council will be found in the appendix to the Spalding Club edition of Spalding's 'Memorials of the Troubles.'

chief of European celebrity.[1] Under such wasting operations the fortunes of the Crichtons gradually crumbled. In a few years their name disappears from local history; and when the last of them took the losing side at the Revolution, he appears to have had little property to be forfeited.

Such is the history of the latest of those rivals whose power and wealth were absorbed into the house of Gordon. Meanwhile, however, the old marquis, tired of his useless contest with his enemy in Edinburgh, returned home and died, of a broken heart as it was said. Spalding, the annalist, gives an affectionate and pleasant sketch of his character. The style of the provincial lawyer is generally modelled on the terms of the testamentary settlements and dispositions which passed through his hands; but having before him a noble and chivalrous form, and describing it truly as he beheld it, he becomes insensibly an artist: "This mighty marquis was of ane great spirit; for in time of trouble he was of invincible courage, and boldly bore down all his enemies triumphantly. He was never inclined to war or trouble himself; but by the pride and insolence of his kin was divers times driven in trouble, whilk he bore through valiantly. He loved not to be in the laws contending with any man, but loved rest and quietness with all his heart; and in time of peace he lived moderately and temperately in his diet, and fully set to building and planting of all curious devices. A well-set neighbour in his marches, disposed rather to give than to

[1] Gilderoy figures in the English biographies of highwaymen and robbers, by Captain Brown, Alexander Smith, and others. The outlaw chief, who, with his army of reivers, would devastate a province, is there reduced to the model of the Dick Turpins, Tom Kings, and other heroes of the English road, and graduates in crime according to the 'Newgate Calendar' formula. He is a disobedient son and a Sabbath-breaker. He falls in debt. He keeps company with naughty boys and naughtier girls. Through their blandishments and his own ungoverned passions he is led to the commission of a domestic outrage, and so takes to the highway. Gilderoy, after defying the power of the Crown and of his enemies, was hanged in 1636. His seizure was one of the feats of the great Argyle himself, and was deemed worthy of public thanks as a national service.

take a foot of ground wrongously. He was heard say he never drew sword in his own quarrel. In his youth a prodigal spender; in his old age more wise and worldly, yet never counted for cost in matters of honour. A great householder—a terror to his enemies, whom with his prideful kin he ever held under great fear, subjection, and obedience. In all his bargains just and efauld, and never hard for his true debt."[1]

[1] Memorials of the Troubles, i. 73.

CHAPTER LXXI.

CHARLES I.

THE TWO PARTIES IN THE NORTH—THE POWER OF HUNTLY—FORCES AVAILABLE IN THE SOUTH OF SCOTLAND—GENERAL ALEXANDER LESLIE—THE SCOTS TRAINED IN THE THIRTY YEARS' WAR—COLLECTION OF MONEY AND RECRUITING—THE GREAT GENERAL ASSEMBLY AT GLASGOW—ITS IMPORTANCE AND PICTURESQUENESS—THE RECOVERY OF THE RECORDS—THE ABOLITION OF THE EPISCOPAL HIERARCHY—RECONSTRUCTION OF THE CHURCH—END OF A GREAT ECCLESIASTICAL CONTROVERSY—A COVENANTING ARMY SENT NORTHWARD—APPEARANCE IN ABERDEEN—MONTROSE AND HUNTLY—CAPTURE AND REMOVAL OF HUNTLY—LORD LEWIS GORDON—TROT OF TURRIFF—FIRST BLOOD DRAWN IN THE GREAT WAR.

When Huntly, the natural leader of the king's party in the north, died in 1636, his son George, the heir of the house, was in France, commanding a company of *gens d'armes*. He had not long returned home when it became clear that the Royalist and Cavalier party must look to him as the centre of their strength; and soon after the period which we have reached he was appointed the king's lieutenant in the north. At an early stage of the dispute we find the instinct of the Covenanters pointing to him as their natural enemy, but taking a moderate estimate of his power to hurt them. Strong he was, no doubt, in his own place; but he was isolated by barriers not to be broken by any strength at his command. Roxburgh had alluded to danger in that quarter in a conversation with Rothes, "whereto Rothes replied he would not give a salt citron for him; for two Fife lairds could

keep him from crossing Dundee Ferry, and half-a-dozen Angus lairds could keep him from crossing the Cairn o' Month; that three parts of his name is decayed, and he wants the two sheriffships."[1] This is an allusion to the discountenance of the house of Huntly by the Court of King Charles, and especially to the removal out of its hands of the sheriffship of Aberdeen and the sheriffship of Inverness.

But, if we may credit one who had good means of knowing what he said, though the Covenanting chief thus slighted Huntly's power, the party had made zealous efforts to secure him as an ally. Had they done so, all Scotland would have been theirs before the war had begun; for the community of Aberdeen, even if a few zealous lairds in the neighbourhood had joined them, could not have made even a show of resistance. The young Huntly had been brought up a Protestant, so that no impassable gulf lay between him and the Presbyterians, as in his father's day. Colonel Robert Monro, one of the Scotsmen from the German wars who had taken service with the Covenanters, was sent as their ambassador to Strathbogie. The offers intrusted to him were great: "The sum of his commission to Huntly was, that the noblemen Covenanters were desirous that he should join with them in the common cause; that if he would do so, and take the Covenant, they would give him the first place, and make him leader of their forces; and further, they would make his state and his fortunes greater than ever they were; and, moreover, they should pay off and discharge all his debts, which they knew to be about ane hundred thousand pounds sterling: that their forces and associates were a hundred, to one with the king; and therefore it was to no purpose to him to take up arms against them, for if he refused this offer and declared against them, they should find means to disable him for to help the king; and, moreover, they knew how to undo him; and bade him expect that they will ruinate his family and estates."

[1] Relation, 62, 63.

The reception given by the new marquis to this alternative is told in thorough keeping with the chivalrous character of his father: "To this proposition Huntly gave a short and resolute repartee, that his family had risen and stood by the kings of Scotland; and for his part, if the event proved the ruin of this king, he was resolved to lay his life, honours, and estate under the rubbish of the king his ruins. But withal thanked the gentleman who had brought the commission and had advised him thereto, as proceeding from one whom he took for a friend and goodwiller, and urged out of a good intention to him."[1]

To note the source whence the chief secular strength on the other side was to be drawn we must pass to a distant scene. England and Scotland had been for many years at peace both with each other and with the rest of the world. Through the affair of the Palatinate, Britain seemed to be drifting into the mighty contests of the Continent. Here, and in the affair of La Rochelle, the peaceful or timid policy of King James kept his dominions out of war, and brought on him the reproach of acting the unnatural father and the indifferent Protestant. The Continent was shaken by the longest and bloodiest war of modern ages. This island seemed to stand serenely aloof from all its horrors; but it was yet to be seen that the Thirty Years' War and its effects would not pass away without leaving a mark on the destinies of Britain. In fact the winding up of that war threw loose the materials that were to revive into the civil wars of Britain.

A political axiom of Chesterfield's that seems always the more accurate the more one reflects on it was, that "the peace of Westphalia is the foundation of all subsequent treaties." Even the later readjustment of the map of Europe at the congress of Vienna scarcely modifies this character. At the period we have reached the great treaty itself was not yet concluded, but the armies were breaking up, and the war was drawing towards the end. The time was yet distant when Scotland was to reap, in im-

[1] Gordon's Scots Affairs, i. 49, 50.

proved industry and enlarged riches, the fruit of a good understanding with England. The country was still dependent on foreign enterprise for the employment of its more restless spirits. They were to be found scattered through the armies on both sides of the great war, but chiefly on the Protestant side. Gustavus Adolphus, who knew well what went to make a good soldier, courted them to his standard. It is impossible to approach by an estimate the number of Scots who thus swarmed out of the country in the various leaguers. Gustavus is said to have had ten thousand at his disposal. That altogether the Scots troopers were a large element in the war we may gather from the strength of specific reinforcements. Thus in 1626 went forth the small army called Mackay's Regiment, said at the time to be four thousand strong, whose deeds have been recorded by their leader, Colonel Robert Monro. Raising these troops was private venture; but King Charles gave his benediction and a contribution of £2000 to the cause, doing so much to strengthen the hand that was to be his enemy's. In 1631 there was another reinforcement of six thousand men to the Protestant host. When the items of reinforcing parties were on a scale like this, it is easy to see how strong a body of Scots trained soldiers the Thirty Years' War left available.[1]

As the great armies on both sides gradually broke up, Europe became sorely infested with ruffians. Not within the memory of man had soldiers been so long and ceaselessly inured to the great game of war, and excluded from the pursuits of industrial life. While the roads throughout Germany swarmed with robbers, the Scots found that a congenial theatre of exertion was opening for them at home. They brought with them a wonderful experience. Never before had such rapid progress been made in the converse arts of destruction and defence. All operations as to fortified places, even in England—and of course

[1] For more information on this subject the author refers to his Scot Abroad, ii. 134 *et seq.* See, too, Chambers's Domestic Annals, ii. 10, 55.

more thoroughly in Scotland—were mere play beside the operations in which these men had taken part. Round some small town in the Low Countries there might be as much apparatus of fortification as all the fortified places in Scotland could furnish. Almost all the elements of war —defences, artillery, small-arms, drilling, and discipline— had been readjusted with a vast increase of efficiency.

The possession of a few thousands of her sons thus trained gave Scotland the advantage over England which a country with a standing army has over the country which can only bring raw recruits into action. From the fugitive nature of the Scots feudal array, the opportunities which other nations, including England, had of keeping troops embodied for a longer period, had been telling against Scotland in the fortunes of war. Now a concurrence of affairs, in which Scotland as a nation seemed to have no concern, had changed the balance. At the same time, while England had been brought under the reign of law and order, Scotland had elements of dispeace which compelled the citizen to be a soldier. The English country gentleman lived, as we have seen, in a mansion ; but the Scots laird still required the protection of a fortress. Such servants as he kept required to be fighting men, for the Scots Borderers had not been as yet completely quieted, and the Highlanders had become more formidable than ever as reivers. Such were the conditions which rendered Scotland strong and regardless of the threats which found their way northwards.

In the midst of the supplications, protestations, and other wordy warfare following on the first outbreak, it is a significant incident that General Alexander Leslie comes over from Sweden "in a small bark," having thus evaded a ship of war, which might have intercepted him had he come in a more conspicuous shape. This Leslie—not to be confounded with his nephew David—was not a man of high military genius. He had worked, however, in half the mighty battles and sieges of the Thirty Years' War, and was so accomplished in all the military mechanism brought to perfection in that long contest, that no one who had spent his days at home in England or Scotland could have

a chance against him in the field, or compete with him for the command of an army. It was said that, unconscious of the destiny awaiting him, he had come to spend his old age in peaceful retirement, and that he had to this end purchased an estate in Fifeshire, in the midst of his kindred, or those whom he chose to claim as such.[1] But a casual word dropped by the well-informed Baillie showed that when he arrived, during the sitting of the Assembly, he had been preparing for other things; for he had "caused a great number of our commanders in Germany subscribe our Covenant, and provided much good munition."[2]

So early as the month of June, one of the grievances of which the Tables complained was an interruption of the commerce of Scotland by vessels of war sailing under the English flag, and by the interference of the Estates of Holland, which, at the request of the king's English ambassador there, had set an embargo on certain merchandise bought by Scots traders in Amsterdam. The excuse made for this interference was that the goods in question were arms and other munitions of war. This could not be denied. One of the agents in whose hands the goods were intercepted makes explanations about having "prepared some five hundred muskets and as many pikes, and paid custom for them; that he had put them in a ship, with some two hundred muskets besides, that he had not paid custom for."[3] Still the Tables maintained that they were free to buy what goods they pleased,

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[1] Spalding, who did not highly esteem him, says: "There came out of Germany from the wars home to Scotland ane gentleman of base birth, born in Balveny, who had served long and fortunately in the German wars, and called by the name of Felt-Marschal Leslie—his excellence. His name, indeed, was Alexander Leslie, but by his valour and good luck attained to this title 'his excellence,' inferior to none but to the King of Sweden, under whom he served among all his cavalry. Well, this Felt-Marschal Leslie, having conquest [acquired] from nought honour and wealth in great abundance, resolved to come home to his native country of Scotland, and settle him beside his chief the Earl of Rothes." — Memorials of the Troubles, i. 130.

[2] Letters, i. 111.

[3] Rothes's Relation, 170.

and it was a wrong done to interrupt their commerce. This was at the time when they had themselves placed guards to intercept any munitions that might be conveyed to Edinburgh Castle. There was much scornful ridicule cast at the grievances of these merchants whose commerce was interrupted in the matter of preparing to make war upon their king; and the whole is characteristic of that curious position ever taken by the Covenanter—that they were loyal subjects, all along performing their duty to their king and country.

Ere this time the Covenanters were in possession of a revenue. A project for a "contribution" appears among their papers so early as the month of February 1638.[1] In the beginning of March a sum amounting to 670 dollars is subscribed by thirty-seven of the leaders. The name of Montrose appears at the head of the list, put down for 25 dollars, the highest rate of contribution, the scale being from 10 to 25 dollars. At the same time an arrangement was completed for levying a tax over all Scotland: "It was resolved anent the contribution that eight shall be appointed collectors in every shire, according to one dollar the thousand marks of free-rent, as they can try, taking the party's declaration whether it be more or less. The contribution is voluntary, and every one must be valued as they are pleased voluntarily to declare the worth of their free-rent. The half of the contribution raised in ilk shire must be delivered to John Smith, and after the same is spent to send for the other half."[2] Of this contribution, which was to be merely "voluntary," and to be given according to the giver's estimate of his means, it may be said that it was a tax exacted to the last penny with a rigid uniformity unknown before either in England or Scotland, unless, indeed, it might be said that in the levying of ship-money the English Council had achieved a like exactness. The committee appointed to collect this tax in each county afterwards obtained the appropriate title of "the War Committee."[3]

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[1] Rothes's Relation, 72. [2] Ibid., 80, 81.

[3] See the "Minute-book kept by the War Committee of the Cov-

So stood Scotland when, on the 21st of November 1638, the General Assembly opened in the cathedral church of Glasgow. A second time that community, which abjured all pomp and all attempt to draw influence from external conditions, was fortunate in a fitting stage for the enactment of a grand drama. Had it been a great council of the old Church that was to assemble, it could not have found any other building in Scotland so well suited for the solemn occasion by supplying conditions of time-honoured ecclesiastical magnificence. It was the only great church in Scotland which had suffered nothing save the removal or destruction of the apparatus for the mass and the other decorations held to savour of idolatry.[1] It was a meeting

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enanters in the Stewartry of Kirkcudbright in the years 1640 and 1641;" Kirkcudbright, 1855.

[1] There is a story told by Spottiswood how the magistrates of Glasgow had agreed to sacrifice the cathedral to Andrew Melville and others of the clergy as "a monument of idolatry," but that the city mob rose and protected the building. Dr M'Crie said he could find no contemporary trace of such an event, and where he was baffled in such a pursuit nobody else need attempt it. He says: "I never met with anything in the public or private writings of Melville, or of any minister contemporary with him, that gives the smallest ground for the conclusion that they looked upon cathedral churches as monuments of idolatry, or that they would have advised their demolition on this ground."—Works, ii. 39. The Cathedral of St Mungo owed its preservation to the wealth and liberality of the community of Glasgow. The other churches which rivalled or excelled it—Elgin, St Andrews, the Abbey Church of Arbroath, and others—fell to pieces through poverty. The Church of St Mungo was never completed, but its fabric was sustained in the condition in which the Reformation found it. Neglect had begun to work on it, and, as in other neglected buildings, the materials available for sordid purposes had begun to disappear. After fruitless attempts to obtain funds from the proper revenues of the see, on the 21st of October 1574, the provost and council, with the deans of the craft and other public-spirited citizens, held a meeting, the result of which is thus recorded: "Having respect and consideration to the great decay and ruin that the High Kirk of Glasgow has come to through taking away of the lead, slate, and other graith thereof in the troublous time bygone, so that such a great monument will alluterly fall down and decay without it be remedied, and because the helping thereof is so great and will extend to more nor they may spare, and that they are not addebted to the upholding and repairing thereof by law, yet of their own freewill uncompelled, and for the zeal they bear to the Kirk, of

eminently solemn. Of the general councils of the old Church, hallowed by the presence of dignitaries whose rank made them princes over all Christendom and adorned by every superfluity of pomp, few were so momentous in their influence as the gathering together, in a small corner of Christian Europe, of a body of men acknowledging no grades of superiority, and indulging in none of the pomps which were the usual companions and symbols of greatness.

The opening of the Assembly of 1638 may fairly vie with that of the Long Parliament as a momentous historical event. It was the earlier in time. Had it not been, perhaps the Long Parliament also might not have been. At that juncture, so far as England alone was concerned, the looker-on would have said that the Court would prevail, and that without a struggle. The organisation for the collection of ship-money got the prerogative out of its only remaining difficulty—the supply of money capable of supporting a standing army. All things had the aspect of a monarchy serene and absolute, such as Englishmen knew only from specimens on the other side of the Channel. This General Assembly takes precedence in history as the first meeting of a body existing by constitutional sanction, yet giving defiance to the Court. It assembled under royal authority, the king being through his Commissioner an element of its constitution.

But memorable as this Assembly is for its influence over the history of the coming times, it stands not less memorable as a monument of the fallacy of human calculations. The power it achieved not only fulfilled the expectations of its promoters, but realised, or even exceeded, the wildest dreams of the most enthusiastic among them. They felt as if the Almighty were leading them on to absolute triumph, when, by a mysterious and scarce perceptible agency, the great power of which they were a

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mere alms and liberality, all in one voice consented to a tax and imposition of two hundred pounds money to be taxed and paid by the township and freemen thereof, for helping to repair the said kirk and holding it waterfast."—Burgh Records of the City of Glasgow, Maitland Club.

portion was turned to purposes utterly adverse to their designs. No doubt they did not expect by their own capacity and human policy to execute the great things that were to be done. But another form of presumption was visited upon them,—they went forth as the chosen agents for accomplishing the dispensation of the Ruler of all things. This is but one of the forms in which presumptuous men give their command to that future which will not obey them. The history of the coming struggle affords many instances where the very confidence of success seemed to achieve it. But, on the other hand, it shows many others where the power created by such confidence turned against its possessor; and this Assembly was one of them.

This great council was not unadorned by rank and pompous ceremonial, but all of this was secular. The Lord High Commissioner, the Marquis of Hamilton, sat on a canopied throne, surrounded by the chief officers of State. There were seventeen peers and a large body of powerful territorial barons, who, as lay elders, were members of the Assembly. To these a place of honour was conceded—they sat at a long table running down the centre of the church, while the ministers were content to occupy seats running in tiers up on either side. Above, in one of the aisles apparently, there was a stage for young nobles and men of rank not members of the Assembly, "with huge numbers of people, ladies, and some gentlewomen in the vaults above." There were one hundred and forty ecclesiastical and one hundred lay members. Among the ecclesiastics there were no bishops or dignitaries, for a reason presently to be seen—all were simple "ministers of the Word."

The presence of the powerful body of laymen on this occasion naturally opens up the topic of a long and acrid controversy about the constitution of the Assembly. On the Cavalier and Episcopal side, it was maintained not to be a free and fair Assembly. There were denunciations of partiality in the organisation for the selection of its members, especially of the lay elders. Such disputes will ever occur, but there is no use of blurring history

with them. We know that whatever the standard of the political morality of the time permits people to do for their party, that they will do—nay, they must do it, under the pain of being denounced as weak or perhaps treacherous. The Court had power to serve its own ends in the other Assemblies held in Perth and Aberdeen, and the Court freely used the power. The Covenanters were now masters of the situation, and they resolved to hold a Covenanting Assembly. No one was to be a member of it who had not taken the Covenant, and remained true to that symbol of his faith. An attempt was made to modify the severity of the qualification by a recourse to the old Covenant or Confession of 1580, so that the bitter supplemental document which brought the terms of that Covenant to bear on the new grievances might be dropped. But this was strenuously and fiercely resisted. For a true Covenanter to sign it, was likened to the "horrible impiety" of one who had given his faith both to the Old and the New Testament, "to sign only the Old for fear of displeasing a Jewish magistrate who neglects the New."[1]

The Tables undertook the working of the elections so as to produce a thoroughly Covenanting Assembly. They resolved to go back upon an Act of Assembly of the year 1597, which required each presbytery to elect two clergymen and one lay elder, while the royal burghs sent lay commissioners—Edinburgh two, and the others one each. It was thus that the Lords and other lay leaders of the Covenant came in. There was some slight discord between the clerical "Table" and the others on this point. The clergy could not but see that this nominally rigid adherence to their standards was transferring them into the hands of new masters. They could not be blind to the reason why the office destined for men of a religious turn and serious walk in life was wanted for a haughty powerful nobility, many of them profligate livers. Among them, indeed, were men fighting their own personal battle for the preservation of the old ecclesiastical estates,

[1] Monteth's History of the Troubles, 29.

which they believed to be in danger—all had a personal dislike of the bishops, as assuming a superiority over them. But it was in such men that the strength of the Assembly as a hostile declaration against the Court lay, and they prevailed in the elections.

The Tables sent instructions to the constituencies—some of a public character known at the time, others of a more secret kind, which have only lately seen the light. In these, provision was made for striking a simple but decisive blow against the bishops. They were all to be put on trial before the Assembly as criminals, therefore they could not be members of the Assembly, since it was the tribunal before which they were to be tried. To carry this exclusion into the lower grades of the Church, a minister was to be disqualified from election if any one should bring a process against him as "erroneous in doctrine or scandalous in life." As a criterion for choosing the right men, presbyteries were carefully to avoid "Chapter men who have chosen bishops, those who have sitten upon the High Commission, chapel men who have countenanced the chapel ceremonies and novations, all who have offered to read and practice the Service-book, the Book of Canons, and ministers who are justice of peace." The Tables supplied the presbyteries with forms of commission to be given to their representatives, and other guidance for the transaction of business. These instructions were accompanied by a letter attuned to the exuberant piety of the time and place. Besides the clerical members of the Tables, it bore the signatures of the lay chiefs, Montrose, as usual, taking the lead.[1] He afterwards, with characteristic rashness, brought some scandal on the Assembly by avowing and hotly supporting a candidate who had received the approval of the Tables, as if this gave his election a legal sanction.[2]

A General Assembly was now a novelty, and indeed there had been no precedent for one like this. Such a body, before putting itself in working order, naturally went through a preliminary phase of confusion and mixed

[1] Baillie's Letters, i. 469 *et seq.* [2] Ibid., 133.

disputation. The old national practice of "protestation" was so amply exercised, that, as Baillie says, all were "wearied with the multitude of protestations but the clerk, who with every one received a piece of gold." The superior weight of the more zealous party carried all points, and they succeeded in the election of Alexander Henderson as moderator—"a moderator without moderation," as Laud called him, in one of his efforts to be witty. Johnston of Warriston was the clerk, and thus became instructor and director in all things connected with form and law.

When he took his chair of office, there came a little dramatic incident of which he was the hero. In the long interval since Assemblies were held, the records of the Church since the Reformation down to the year 1590 had passed out of public sight. There was no one officially responsible for their custody, and there was a strong suspicion that they had got foul play at the hands of the Episcopal party and the Court. Johnston laid on the table certain volumes which he maintained to be these veritable records—they had come into his possession "by the good providence of God." A committee of the House, after professing to have closely examined them, pronounced them to be the authentic record of the Kirk from the year 1560 to the year 1590.[1]

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[1] Baillie's Letters, 129-139. This reporter of the business has thus recorded his pious joy at this auspicious incident: "It is one of the notable passages of God's providence towards our Church, that these books were not destroyed or put in hands whence we should never have drawn them; this forty years bygone so great a desire being in the hearts of the prince and prelates for covering in perpetual darkness of our old Assemblies which crossed their intentions; so great negligence on our parts to keep these monuments, that no man among us, so far as I could ever hear, knew what was become of these books, but all took it for granted that they were in St Andrews' possession, who would be loath ever to let them go, or any true double of them; yet God has brought them out, and set them up now at the door of our Church, to be the rule, after Scripture, of this Assemblie and all their proceedings."—P. 139.

It was the fate of these books afterwards to pass through a career as remarkable in the unexpected strangeness of its incidents as any that has enabled people to discover that Providence has been

There was a logical difficulty about these first steps. The validity of the elections had to be tried. How, then, could those present elect office-bearers until it was known whether they themselves were legal members of Assembly? On the other hand, how could these nice questions be tried by a chaotic multitude without an official staff?

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specially at work to create the result which pleases themselves. In this branch of their career, however, the problem of a special providence would require to be solved from the other side, since the end was not the special preservation, but the special destruction, of the books. When the civil war began it was thought prudent to have a duplicate made of the records, and place each record in a place of safety. One was preserved in Dumbarton, the other in the fortress of the Bass. This latter was removed to London, with other Scots records, by the Government of the Commonwealth. What became of it is not precisely known, but it is believed to have been lost, along with other records, on their way to Scotland, in a vessel shipwrecked in the year 1660. The Dumbarton copy passed from its official custodier to his representative as private property. It fell into the hands of Archibald Campbell, a member of the Argyle family, and a clergyman of the nonjuring Episcopal Church of Scotland in Queen Anne's reign. Mr Campbell was an eccentric man, and a collector of rare books and manuscripts, and it was in this character that he professed to take an interest in the records. He tantalised the Church authorities in Scotland with offers to restore them on conditions which were pronounced preposterous. In the end, according to a statement by Principal Lee, "Mr Campbell, as he had sometimes threatened to do, took a step which was intended to put the books for ever beyond the reach of the Church of Scotland, by entering into a deed of trust or covenant with the president and fellows of Sion College, the terms of which do not appear to be accurately known to any member of the Church of Scotland, but the effect of which has undoubtedly been to detain these records from their lawful owners for nearly a century past." This was written in the year 1828. In the winter of 1834 Principal Lee was examined by a select committee of the House of Commons on patronage in Scotland. He desired to refer to these records, and the all-potent order of the committee brought them to St Stephen's. They were in the charge of an officer of the college, who expected to take them back when they were no longer needed for the time; but he was told that "the committee wished the books to lie upon the table for their inspection, and that the committee would send for him when they wished them to be returned." But before he was sent for the Houses of Parliament were burned, and the records in them.—See the prefaces to the two editions of "The Book of the Universal Kirk." This title was given to a book often cited in these pages, in which a worthy attempt was made to supply the substance of the lost records from other and incidental sources.

The practical sense, so conspicuous in the tactic of large assemblages in this country, adjusted the difficulty. Let the arrangement be made provisionally—when the Assembly has adjusted itself, it can rejudge its choice Down to the 28th, election disputes were busily discussed and promptly settled in favour of the prevailing party. One of the questions the most promptly settled among all was of a fundamental character. A body of the clergy gave in a protestation against the admission of lay elders; but this admitted not of discussion, for it was equivalent to a repudiation of the Assembly itself.

Through all this business the Commissioner waited patiently. On the 29th, when the Assembly, having put itself in order, was to begin its work, it was known that the royal countenance was to be withdrawn. There was a desultory conversation about the position taken on both sides, involving the questions of clerical independence and royal supremacy, which had been so profusely reiterated. The Commissioner then delivered a parting address, stating in a more technical and specific manner those grounds on which he could no longer give the royal countenance to the meeting. They came under two principal heads: first, the constitution of the Assembly, in so far as lay elders were admitted; second, the form of the business before it, in as far as it professed to hold authority over bishops, and deliberate on the validity of the episcopal office. A proclamation was then published at the market-cross. It was more diffuse than the Commissioner's speech, going over again the whole quarrel from the beginning, and especially enlarging on the dictatorial conduct of the Tables. It forbade all farther meetings of the Assembly, and required all the individual members "to depart furth of this city of Glasgow within the space of twenty-four hours, and to repair home to their own houses, or that they go about their private affairs in a quiet manner." There was, of course, the usual inevitable protestation, and the business in hand went on.

The Commissioner's departure was accompanied by an event deemed sufficiently propitious to balance the loss. Among the secondary questions about the constitution of

the Assembly, one arose on a proposal that the officers of State and some other men of high rank who attended the Commissioner should have votes in the Assembly as "assessors." One of these was Archibald, Earl of Argyle. He was thirty years old. His father, who had died in the spring of 1638, professed the old Church. By the letter of the law the heir was entitled to enjoy the estates of his Papist father, and it was said by his enemies that he entered on possession in his father's lifetime. But that was an affair of the past; he had now fully succeeded to the honours and to the estates, or rather dominions, of his house. His following, estimated by mere numbers, was the greatest in Scotland—greater than even Huntly's. It was rumoured that he could bring five thousand men into the field. He was counted among those favourable to the Covenant, but he was not yet a Covenanter. He took the opportunity, before Hamilton's farewell, to address the Assembly. He said he had been sent there by the king, but he had impartially watched their proceedings as a neutral person. "I have not," he said, "striven to blow the bellows, but studied to keep matters in as soft a temper as I could; and now I desire to make it known to you, that I take you all for members of a lawful Assembly and honest countrymen." He had himself, as yet, only, like others of the Court, put his hand to the old Confession without the protestation against the recent innovations; but that he had gone only so far was not to be imputed to him as disloyalty to the Covenant. Some other nobles came forward in the same condition —they had signed the "King's Confession" as it was called, but they were true Covenanters; among these, Montrose, who was a busy member of the Assembly, proclaimed the names of the Earl of Mar, and his own relation, Lord Napier.

The departure of the Commissioner gave no interruption to the weighty affairs on hand. The first business of moment completed by the Assembly was the repeal or annulling of the Acts of preceding Assemblies from 1606 downwards, including the Five Articles of Perth. Then the Service-book, the Book of Canons, and the Book of

Ordination were severally repudiated, for reasons of which enough has been seen to render repetition unnecessary. Then came the great scene of the trial of the bishops and their "declinature." This was a document in which at some length the bishops protested against the power of the Assembly to deal with them, a doctrine for which men in their position could find many obvious reasons.

The Presbyterian Church of Scotland, in the practice of its judicatories, has ever sought the principle, that judicial proceedings are to begin in the lower and find their way up to the higher courts. On the present occasion they were true to the spirit of this principle. The "libel" or indictment against the bishops was first laid before the Presbytery of Edinburgh, who referred it to the Assembly. By discounting the Articles of Perth and the several laws recently passed for the restoration of Episcopacy as all being null, there was ample opportunity to show that, both in the titles and powers they adopted, and in the ceremonials which they practised, the bishops had acted against the laws of the Church. But it has ever been the good fortune of those who have from time to time raised a war of extermination against bishops, to find that they are all so vicious in their lives as to render unnecessary any discussion of doctrines and ceremonies as a means of driving them from the Church. The Tables sent down to the several presbyteries a list of the crimes which it was desirable to prove against bishops—a list which has the merit of distinctness, in the use of terms from which the decorum of modern literature shrinks. As Baillie remarks, with exulting candour, on his way to join the conclave in Edinburgh, "No kind of crime which can be gotten proven of a bishop will now be concealed."[1] The Bishop of Dunblane being denounced as a corrupter of the people by the spread of Arminianism, and an agent of Canterbury's, there follows the remark, "What drunkenness, swearing, or other crimes was libelled, I do not remember;"[2] as if these things must have been charged as a matter of form, although the fact is forgotten.

[1] Letters, i. 105. [2] Ibid., i. 108.

It seems to have been felt that to speak of a virtuous bishop was a logical contradiction, as if one should say an honest swindler or a moral gambler. Guthrie, Bishop of Moray, had, we are told, "all the ordinary faults of a bishop, besides his boldness to be the first who put on his sleeves in Edinburgh." "There was objected against him," continues Baillie, "but, as I suspect, not sufficiently proven, his countenancing of a vile dance of naked women in his own house, and of women going barefooted on pilgrimages not far from his dwelling."[1] It would seem, indeed, as if the idolatry of the old Church, sensuality, and profanity were deemed natural companions, each helping and promoting the others. The Bishop of Edinburgh was "a bower to the altar, a wearer of the rochet, a consecrator of churches," and, as a natural accompaniment of such practices, he "made no bones of swearing and cursing."[2]

The end was, that of the fourteen prelates six were simply deposed, eight were deposed and excommunicated. The moderator uttered the sentences against them in a sermon, having for its text, "The LORD said unto my Lord, Sit thou at my right hand, until I make thine enemies thy footstool." The bystander so often quoted has these notes and reflections on the occasion: "Thereafter in a very dreadful and grave manner he pronounced these sentences as ye have them in print. My heart was filled with admiration of the power and justice of God, who can bring down the highest and pour shame on them, even in this world, suddenly, by a means utterly unexpected, who will sin against Him proudly with a uplifted hand. And withal I heartily pitied those who were excommunicate, remembering the great gifts of some and eminent places of all, whence their ambition and avarice had pulled them down to the dunghill of contempt."[3]

The sentence of excommunication placed the poor men in great peril. By the letter of the law the excommunicated person could hold no civil rights—he was an outlaw. When the ecclesiastical courts were at enmity with

[1] Letters, i. 164. [2] Ibid., 161. [3] Ibid., 168.

the executive this might be an empty threat; but now those who had thundered the excommunications had the power of all. As a body, the bishops sought refuge in England, throwing themselves in utter wretchedness on the charity of their party there, who were themselves in anxiety and peril. There was a general clearing off of the Episcopal party among the ordinary clergy, and it helped on the work of weeding that the Church was to contain within its bosom no clergy who had not sufficient parochial work to occupy their time.

After transacting a crowd of other affairs, chiefly for the reconstruction of the Presbyterian Church courts, and interesting only to those who have to deal with these tribunals, this renowned Assembly dispersed on the 20th of December.[1]

A change now comes over the spirit of our history. A few casual controversies may continue to interrupt the path; but we are now free of that complex labyrinth of political and polemical wrangling which has to be traced through the dense mass of State papers and pamphlets of the day, and we come forth into the open field of war. The sword was first drawn in the north—Scot against Scot. Between the signing of the Covenant and the holding of the Assembly the Tables had determined to subdue the city of Aberdeen and the district around it, and to compel the people there to sign the Covenant. A committee of clergymen, with the Earl of Montrose as their leader or chairman, was sent northwards to deal with these uncovenanted people. There were among the clergy three eminent men—the great Henderson, David Dixon, and Andrew Cant, a clergyman of Aberdeenshire, whose zeal for the Covenant appears to have been heated and hardened by the antagonistic pressure of his prelatical neighbours.

The capital of the north was famous for its hospitality,

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[1] The best collection of materials for the history of the Assembly of 1638 is to be found in Peterkin's 'Records of the Kirk of Scotland, containing the Acts and Proceedings of the General Assemblies from the year 1638 downwards.'

and every distinguished stranger was welcomed by the corporation to a wine-banquet, or "cup of bon-accord," as it was termed, in the words of the motto on the corporation arms. When this hospitality was offered to the new visitors it was "disdainfully refused." They would not have fellowship with the uncovenanted. "They would drink none with them till first the Covenant was subscribed." This was an insult "whereof the like was never done to Aberdeen in no man's memory." The materials for the feast were distributed among the city paupers—a disposal with a certain satisfactory touch of disdain in it.[1]

The three clerical commissioners desired to occupy the city pulpits next Sunday, but the clergymen to whom these belonged thought fit to use them for their own ordinary ministrations. The visitors had one important supporter in the district, the Earl Marischal, whose winter hotel was in the centre of the town, and in the place now known as Marischal Street. The house had wooden benches or galleries in front, and there the three ministers preached in succession, judiciously occupying the intervals between the regular church services. The community of this isolated district, with the group of scholars belonging to its cathedral and colleges, and its Episcopalian tastes, was liker to one of the smaller cathedral towns of England than any other part of Scotland was. Hence the ways of the new-comers were as strange and peculiar there as they would have been in Canterbury.[2] The strangers had a considerable audience, but an audience neither sympathetic nor reverential. So each party, with very little trouble, had managed to cast tokens of bitter despite at the other.

The strife which had thus been sown first broke forth in print. The attack was begun by six of the Aberdeen clergy, called familiarly in the correspondence of the day, "The Aberdeen Doctors." These were—John Forbes of Corse; Robert Baron, Professor of Divinity; Alexander

[1] Spalding's Memorials, i. 91, 92.
[2] Ibid., i. 92; Gordon's Scots Affairs, i. 84.

Scrogie; William Leslie, Principal of King's College; James Sibbald, and Alexander Ross. They were all men of ability and learning; but two at least of their names had a wide renown, Forbes and Baron. Alexander Ross, too, has a celebrity, but it is vicarious, from confounding him with his more eminent contemporary and fellow-townsman, who furnished Butler with the three-syllabled rhyme. The Ross who was one of "the Doctors" died in 1639, before the bulk of the other's many volumes appeared.[1] They began by issuing 'General Demands concerning the late Covenant, propounded by the Ministers and Professors of Divinity in Aberdeen to some Reverend Brethren who came thither to recommend the late Covenant to them, and to those who were committed to their charge.' The controversy spread over several papers on both sides; and the whole of these documents were arranged and printed by "the Aberdeen Doctors," under the nomenclature of the stages in a suit of law. To the Demands there were "Answers," to these came "Replies" by the Doctors; and then second Answers, and finally "Duplies" by the Doctors. A piece of dry humour was no doubt intended in these titles; but it is not likely to be enjoyed in the present day, nor are the papers in substance very attractive. The position taken by the Doctors is the unassailable one of the dry sarcastic negative. Whatever the Covenant might be—good or bad—and whatever right its approvers had to bind themselves to it, how were they entitled to force it on those who desired it not? And when their adversaries became eloquent on its conformity to Scripture and the privileges of the Christian Church, the Doctors ever went back to the same negative position—even if it were so, which we do not admit, yet why force it upon *us*?[2]

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1 See Grub's Ecclesiastical History of Scotland, ii. 313.

2 The "Doctors" had the gratification to receive from the king a brief but favourable criticism of their part in the controversy. They were commended for their loyal service, and particularly for "hindering some strange ministers" from preaching in their churches. The king said he had not had time to consult some of their own profession, whose judgment he proposed to ask on their merits. But from his

The commissioners having canvassed the town and county of Aberdeen, returned with a scanty list of adherents to the Covenant. It gradually increased, however; for there was a political party there, as well as elsewhere, to whom it was convenient. Some who chafed under the power of the Gordons—such as the Frasers, the Forbeses, and the Keiths, whose chief, the Earl Marischal, had already helped the Covenanters—ultimately joined them, to the weakening of Huntly's power. Early in the year 1639, the Tables, who saw a greater war before them, resolved to deal, in the first place, with the malignants of the north, and relieve themselves from an enemy in the rear.

A fine small army of some three or four thousand men was thus gathered and disciplined under the command of Montrose, with the experienced Leslie as his lieutenant. In February, and before it had been put in marching order, the commander heard that the few friends of his cause in Aberdeenshire were to meet in Turriff, on the border of Banffshire, then a market-town of some importance, but now a mere village. He heard, also, that the Gordons were to assemble in force to disperse them; and he resolved, by one of those bold and original feats in which his strength lay, to protect his friends. Taking with him not quite two hundred men, he moved this light body, by the unfrequented drove-roads of the uplands, across the Grampians, by Fettercairn and the Cairn o' Month, and had them placed behind the churchyard-wall of Turriff, as a breastwork to them, before the Gordons arrived. These were a large body—two thousand, it was said—with Huntly at their head. He, so far as the king was concerned, had been named the royal lieutenant in the north; but he shrank from then drawing the first blood, though he might have been secure of victory, and allowed the Covenanters to have their way. It was said that

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"own reading of them"—he does not say how far it had gone—he says, "we do hold them, both with learning and a peaceable moderate style, answerable to men of your profession and place."—Documents, Spalding's Memorials, i. 98, 99.

there was a policy in his abstinence. He had been instructed not to proclaim his lieutenancy until some great emergency occurred. The Turriff meeting was in the middle of February, and he proclaimed his commission a month later. It was desirable that he should forbear until the royal forces were at hand, lest, if he came to issue with the strong army of the Covenanters while free to act, it might crush him and extinguish the only available ally whom the royal army was to find in Scotland.[1] At the same time his authority was in an awkward position. His commission as lieutenant had been "stopped at the Seals." It had not received, and was not now likely to receive, official attestation, as sealed and certified by the proper Government officers.[2]

Meanwhile the citizens of Aberdeen were fortifying their town, and the general tone of tacit menace in the district prompted the Tables to strike a blow in the north before their hands became full elsewhere. The force at their disposal was too overwhelming to be safely resisted. It is said that nine thousand marched northwards, and were joined by two thousand from those families who were zealous against the house of Gordon, if not for the Covenant.

The commissary-clerk of Aberdeen, whose descriptive powers had probably been exercised on inventories of furniture and commodities, brings before our eyes this well-ordered army with a distinctness such as we often seek vainly in the pompous technical narratives of those who profess an acquaintance with military science. Perhaps his very ignorance of the apparatus of war, and the

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[1] Gordon's Scots Affairs, ii. 210, 313, 314; Spalding's Memorials, i. 145. "A commission for the lieutenancy of the north of Scotland was sent to the Marquis of Huntly; but he was ordered to keep it up as long as possible, and carefully to observe two things. One was, not to be the first aggressor, except he were highly provoked, or his majesty's authority signally affronted; the other was, that he should keep off with long weapons till his majesty were on the Borders, lest, if he should begin sooner, the Covenanters might overwhelm him with their whole force, and either ruin him or force him to lay down his arms."—Burnet's Memoirs, 113.

[2] Spalding's Memorials, i. 168.

novelty of the sight, made its impression on his mind all the clearer: "They came in order of battle, well armed, both on horse and foot, ilk horseman having five shot at the least, where he had ane carbine in his hand, two pistols by his side, and other two at his saddle-tor. The pikemen in their ranks, with pike and sword; the musketeers in their ranks, with musket, musket-staff, bandeleer, sword, powder, ball, and match. Ilk company, both on horse and foot, had their captains, lieutenants, ensigns, sergeants, and other officers and commanders, all for the most part in buffle coats and goodly order. They had five colours or ensigns, whereof the Earl of Montrose had one, having this motto drawn in letters, 'FOR RELIGION, THE COVENANT, AND THE COUNTRY.' The Earl Marisal had one, the Earl of Kinghorn had one, and the town of Dundee had two. They had trumpeters to ilk company of horsemen, and drummers to ilk company of footmen. They had their meat, drink, and other provisions, bag and baggage, carried with them.—Done all by advice of his excellency Felt-Marshal Leslie, whose counsel General Montrose followed in this business. Now, in seemly order and good array, this army came forward and entered the burgh of Aberdeen about ten hours in the morning, at the Over-Kirkgate Port, syne came down through the Broadgate, through the Castlegate, out at the Justice Port to the Queen's Links directly."[1]

The Covenanting clergy now got possession of the Aberdeen pulpits, where, in the month of April, they were able to proclaim against the bishop the doom that had been pronounced in December. He and all other persons of note who would not take the Covenant had fled from the town. Those who remained submitted quietly to the test, whether with sincerity or not. All things were orderly. No plundering was allowed. The community were required to compel the suspicious people to furnish provisions, but they were paid for. A contribution of ten thousand marks was levied on the community at large, out of which the individual creditors of

[1] Spalding's Memorials, i. 154.

the army were paid. The ten thousand marks were accepted as a dramatic surprise in relief from a penal impost of ten times the amount. The poor provost, when the first demand was made, said it was impossible to raise a hundred thousand marks. On this "the general nobly said: 'Since ye have subscribed our Covenant, we think us all but one; therefore we will not take so great a sum from you, upon condition ye contribute with us in this our good cause since the beginning, and in time coming with men and moneys as occasion shall offer; and in the mean time give up the names of your neighbours who have fled the town for fear of us, that we may plunder their goods at our pleasure during their absence, and likewise with all convenient speed to go fortify your blockhouse with men and cannon, and other necessaries for defence of foreign invasion, if it shall happen at the water-mouth; and withal to lay us down ten thousand marks for support of our army's charges."[1] As appropriate to Montrose's reasonable clemency, it must be noted that when Aberdeen sent commissioners to represent the town at "the Tables," these laid a fine of forty thousand marks on their community "for their outstanding against them and their Covenant."[2]

Argyle sent five hundred of his Highlanders to swell the Covenanting force in Aberdeen. It did not suit the policy of the commander at that time to be assisted by such inveterate marauders. He therefore stationed them where they could conveniently foray on the lands of the Irvines and other malignants. This was a happy arrangement. They were at hand in case of need, they supported themselves, and they chastised the enemy. When the business was completed, and a strong organisation established, it was deemed safe to bring them into quarters assigned to them in the city, with strong injunctions to abstain from mischief. So, just before the departure of the main body of the army, they were marched from the ground, "where they wanted not abundance of beef, mutton, and other good fare for little pay, in order of

[1] Spalding's Memorials, i. 167. [2] Ibid., 172.

battle, with bagpipes and Highland arms."[1] On the 12th of April the infantry marched southwards under Leslie; and it is noted by Spalding, "Thus Felt Leslie marched upon Good Friday; but in none of the Aberdeens was there preaching, as was used before upon Good Friday, according to the Perth Articles—such was the change of time."[2]

Huntly, finding that, unless he received aid from the king—and that was now unlikely to come soon—he would speedily be overwhelmed, desired to make what terms he could with safety and honour, and proposed to hold a meeting with Montrose. They met twice in a place selected as safe for the purpose, each with eleven followers, and all armed no further than with the indispensable sword. Huntly wished to conform to existing conditions without actually humiliating himself to sign the Covenant. He and his Protestant friends were content to acknowledge the old confessions, and to subscribe a document maintaining the king's authority, "together with the liberties both of Church and State—of religion and laws." He proposed a course for the co-operation even of the Papists of the north, "they subscribing a declaration of their willingness to concur with the Covenanters of maintaining the laws and liberties of the kingdom."[3]

In point of policy this was a promising bargain to the Tables—it secured to them the neutrality, if not the active assistance, of the only force that could effectually trouble them at home in co-operation with an English invasion. How the zealous Covenanters might take it, and how Montrose, when he accepted the terms, counted upon their conduct, are among the smaller mysteries of history.

It was desirable that, to complete the arrangements, Huntly should come to Aberdeen. He was now no longer an enemy, and the exceeding caution of the previous meetings was unnecessary. Still there might be quarrels and difficulties; and he required a safe-conduct,

[1] Spalding's Memorials, i. 166. [2] Ibid., 168.
[3] Ibid., 157, 160; Gordon's Scots Affairs, ii. 233.

insuring his life and liberty. It was signed by Montrose and some others.[1] Huntly had been in Aberdeen some two or three days, hospitably entertained in the house of the Laird of Pitfodels, when he began to have an unpleasant sensation that his steps were watched and his abode guarded. When he sought an explanation, the end was that he found he was to be removed to Edinburgh. Nominally he went of his own free-will, but really as entirely a prisoner as the genteel criminal who, to save appearances, is permitted to drive with his captor in a carriage to prison. On this transaction a question has been debated, whether, on the one hand, it was a bold stroke of treachery, devised and executed by Montrose, or, on the other, it was a surrender of his own naturally honourable nature to the stronger and unscrupulous will of Huntly's personal enemies. On neither side is there anything to found on better than the account of the local annalist of Aberdeen, and the best that can be done for the reader is to give his story.

He tells how Montrose asked the marquis to shake hands with the deadly enemy of his house, Frendraught, and put several other points, which are called "frivolous," until at last he turned to his great purpose, and said: "'My lord, seeing we are all now friends, will ye go south to Edinburgh with us?' The marquis, seeing his purpose, answered quickly: 'My lord, I am here in this town upon assurance that I would come and go at my own pleasure but [without] molestation or inquietation. And now I see by condition my lodging was guarded that I could not come out nor in. And now by expectation ye would take myself—who is here and bidden here by your lordship, in quiet manner, merry and glad—and carry me to Edinburgh whether I would or not. This, in my sight, seems not fair nor honourable.' Always says he, 'My lord, give me my bond whilk I gave you at Inverurie, and ye shall have ane answer;' whilk the general obeyed, and

[1] "Huntly's desire was granted, and an assurance sent him under the chief men's hands, especially Montrose's, that he should be free to return."—Gordon's Scots Affairs, ii. 235.

delivered to the marquis. Then he said, 'Whether will ye take me south as ane captive, or willingly of my own mind?' The general answered, 'Make your choice.' Then he said, 'I will not go as ane captive, but as ane volunteer;' whereupon he comes to door, hastily goes to his own lodging, where he finds the same strictly guarded with musketeers."[1]

Some of Huntly's friends besought Montrose to leave a hostage for him, but this he refused. The marquis had been attended by two of his sons—the Lord Gordon, the eldest, and his brother, the Lord Aboyne—who were persuaded by their kindred to return to Strathbogie. On reaching Edinburgh the marquis was secured in the castle. This transaction cast a shadow on the destinies of Montrose, and crossed his path towards objects very different from those on which he was dreaming as an unscrupulous promoter of the Covenant. One who had good opportunities of knowing how Huntly felt tells us: "For Montrose going along with that action it is most certain, to the best of my knowledge—for I write this knowingly—that it bred such a distaste in Huntly against Montrose, that afterwards, when Montrose fell off to the king and forsook the Covenanters, and was glad to get the assistance of Huntly and his followers, the Marquis of Huntly could never be gained to join cordially with him, nor to swallow that indignity. This bred jars betwixt them in the carrying on of the war, and that which was pleasing to the one was seldom pleasing to the other. Whence it came to pass that such as were equally enemies to both (who knew it well enough) were secured, and in end prevailed so far as to ruinate and destroy both of them, and the king by a consequent."[2]

At the moment the achievement appeared to be a success, since it shook and weakened the combination which formed the Cavalier strength in the north. One must keep in view the peculiar and complex structure of the organisation of which Huntly was the head, to know how

[1] Spalding's Memorials, i. 170.
[2] Gordon's Scots Affairs, ii. 238.

chaotic and purposeless it might become when that head was gone. The removal of a king from a well-organised independent state might have less influence, because naturally the organisation would be sufficiently sound to work for him in his absence. On the other hand, if the head of a clan got into trouble—a frequent occurrence—the heir or next in command would get the obedience of the clan. The clansmen held of such a leader by pure loyalty; but the greater portion of the force commanded by Huntly was kept together not by loyalty to him but by policy—the policy of combining for mutual aid against the Government and the rival house of Argyle. Within that combination were all manner of subordinate jealousies and hatreds. There were Lowland families of ancient blood, who could say they were as good as the proud Gordons themselves, and were bitterly jealous of each other, and repudiative of any other leader but the great marquis, towards whom they took the position rather of allies acknowledging leadership than of vassals acknowledging obedience. There was a still more difficult and dangerous element in the wild Highland tribes, with whom Argyle was trafficking to consolidate an influence from his centre of government at Inverary, while Huntly was doing the same from Strathbogie.

All this was the rehearsal, on a small scale, but in a far more tangible shape, of that competition between the Russian and the British influence which politicians have professed to find in the territories of Central Asia between Russia and Hindustan. Then there was through and through the whole mountain district such a ramification of hereditary quarrels and old wrongs standing over for vengeance, that the most diligent of the local and genealogical historians become confused in the attempts to trace them. Sometimes the feud lay between a clan in Argyle's interest and another in Huntly's, and indeed was the cause of their thus drawing off into opposite camps. But sometimes the two enemies belonged to the same organisation, which their bickerings continually disturbed. It has to be added that all were inveterate thieves, and when temptation fell in their way did not

always distinguish with proper nicety their allies from their enemies.[1]

Huntly's second son, the Lord Aboyne, acted as head of the house and of the confederation, and for his assistance was invested by the king's writ with his father's office of Lieutenant; but he was young, and without capacity to overcome the disorganising influences. The king gave him an order on Hamilton for two thousand of the men on board his vessels; but the order was of no avail—the

[1] Take, for instance, some of the elements in a general meeting at Strathbogie of the Lowlanders of Aberdeenshire and the Highland following of Huntly, "the most part of Lochaber only excepted, whom Argyle either tampered with or forced to keep home." With those who came "likewise joined James Grant, a son of the family of Carron on Speyside, with some twenty of his followers. This gentleman had been an outlaw several years before, upon a private account, which was, that his nephew, John Grant of Carron, had been killed by a near neighbour gentleman, John Grant of Ballandallach, which slaughter was so resented by James Grant, that for to prosecute the revenge thereof he wilfully turned outlaw, and had been prisoner in Edinburgh Castle not long before, and had made his escape thence; but being well descended, and cousin to Huntly on his mother's side, he was protected in the country, all being his friends almost, and at this time owned by Aboyne, although the Covenanters took occasion thence to traduce Aboyne and that party for taking such associates by the hand.

"They got greater ground to speak against him by Aboyne his taking under his protection one John Macgregor, a Rannoch man born (known by the Irish nickname of John Dow Geare), and a notorious robber; yet was he and his followers, about twenty-four arrant thieves and cut-throats, taken into the party. The addition of all this, as it contributed little to the service, so it gave great occasion to the Covenanters to upbraid Aboyne, who, being young and inexperienced, was persuaded thereto by such as either looked not to his honour, or wilfully strove to affront him. And the wiser and most sober of his friends were very ill satisfied therewith, and so much the rather that these two bandits, though both of them were willing to serve Aboyne, yet they could not agree together, but wherever they met they were like to fall to blows with their companies, and could hardly be kept asunder. The reason whereof was, because James Grant had killed one Patrick Macgregor, brother to the Laird of Macgregor, who had undertaken (by warrant from the Privy Council) for to kill or retake James Grant. This slaughter was as much resented by the Clangregor (according to their Highland form) as Carron's slaughter was resented by James Grant."—Gordon's Scots Affairs, ii. 257, 258.

two thousand men were not to be had; and it was said that Hamilton, premonished of the order, had sent them back to England. This was all the more irritating, that the kidnapping of the chief had created deep resentment; and when it was known that Hamilton was in the Forth with a fleet, the opportunity seemed to have come for striking a blow."[1]

An incident had the effect of drawing these cavaliers into common action. The Covenanters of the north resolved to assemble in force, and to that end they again selected Turriff, as so far from the centre of the Gordon power that it was neutralised by others. They were to meet on the 13th of May, and to remain as a centre round which their brethren would gather until the 21st, when they would begin to act. The Gordons, assembled in some numbers in Strathbogie, resolved to strike at once, and marched to Turriff on the same evening. The Covenanters were numbered at twelve hundred—their assailants were about as many; but they had what greatly enhanced their effective force—four brass field-pieces.

The assailants had three commanders, each doing his best; but it was their chief good fortune that one of the three, Robert Johnston of Crimond, "had been brought up in the war, and wanted neither gallantry nor resolution." They showed so much science, that instead of rushing on the village by the east end of its one street,

[1] This is a rather perplexing story. It is thus told by a contemporary not prejudiced against the Royalist side, and with good means of information: "The king gave a new warrant and patent of lieutenancy unto Aboyne in place of his father, and an order to Hamilton, who was then lying in the Firth of Forth, for to deliver to Aboyne two thousand of the land soldiers, whom he commanded Hamilton for to transport and land safe in Aberdeen. But Hamilton, who had quick intelligence of all that passed about the king's hand, being advertised hereof, upon pretext of scarcity of victuals and sickness, sends back these two thousand men for England before Aboyne came to him with the king's order; so that when Aboyne came to the Forth to Hamilton he was heartily welcomed and feasted, it's true, and many volleys shot off at drinking the king's health; but it was showed him that the men were gone, and all that Aboyne could procure was four brass field-pieces and some field-officers, and some small quantity of ammunition."—Gordon's Scots Affairs, ii. 265, 266.

which was nearest to them, they passed deliberately round to the west, where attack was easier and safer. The Covenanters were surprised—some in bed, others enjoying themselves—and even the delay in the attack did not give them time to form. Hence, when their street was swept by a volley of musketry and a few discharges from the field-pieces, they dispersed and left the town in the hands of the assailants. It was a small affair—two men on the assailed and one on the assailing side killed. Yet it became memorable in local history as "the Trot of Turriff;" and it had some claim to commemoration, since in that distant village the first blood in the great civil war was spilt. It was remembered, too, in the north, though the many turns in the mighty conflict drove it out of memory elsewhere, that it was on the side of the Cavaliers that the sword was first drawn.[1]

Among the incidents of the excitement naturally raised by this triumph, one was in itself a small romance of a character peculiarly Highland. Lord Ludovic or Lewis Gordon, the third son of Huntly, was, as we are told, a young boy at school in Strathbogie with his grandmother.[2] On hearing of the Trot of Turriff he "broke away from his grandmother, and had forsaken the school and his tutor, leaping over the walls so hazardously as he went near to break one of his arms."[3] He wandered up to the hills, and came back the leader of a horde of Highlanders from Strathdee, Braemar, Strathdon, and Glenlivet. They had crowded rapturously round the princely boy, for such he was to them. The king's court had ever been too far off, even at Holyrood, for distinct vision by the Highlanders, and now it was farther off still. To this portion of them Strathbogie was their court. It was noted as one of the marvels of his escapade that the boy presented himself to the mountaineers "in Highland garb." It had

1 The parson of Rothiemay gives a minute account of the stages of the short conflict, giving individual particulars, down to the minister wandering distractedly about his church while the bullets passed through the roof.—Scots Affairs, ii. 256-258; see also Spalding's Memorials, i. 185.

2 Gordon's Scots Affairs, ii. 238.

3 Ibid., 261.

been usual to wear it at gatherings for hunting the deer, but this is perhaps the first occasion on which any person of high rank is mentioned as so clothed when presenting himself to the people as their military leader. Thus Lewis Gordon seems, unwittingly perhaps, to have solved a problem practically applied in later times, that the nearest way to the heart of this peculiar people is to attire some person of illustrious rank in their peculiar garb. What it was at that time we do not well know, but it doubtless differed widely from the regulation Highland uniform of the present day. So, in Spalding's words, he and his followers, "upon Friday, the 7th of June, marched in brave order, about a thousand men on horse and foot, well armed, brave men, with captains, commanders, and leaders, trumpets, drums, and bagpipes."

Thus was this youth the commander of a body of troops the most irregular of irregulars—a post requiring great experience and peculiar military sagacity. How it fared with him in his command we are not precisely told; but we know that, swollen by this accession, the general body of Cavaliers, Highland and Lowland, dreamed of striking some great blow against the Covenanters southward of Aberdeenshire. They marched down Deeside, and turned to the right, menacing the Earl Marischal's great fortress of Dunnottar. Prudence prevailed, however, and abandoning an enterprise so hopeless, they returned to the Gordon country by the easiest method—dispersing and reuniting. Thus they left the south side of the Dee, achieving nothing "except that the Highlanders plundered the country coming or going—a thing very usual with them."[1]

In the north "the Barons," as their leaders were now called, reassembled in such strength as to threaten annihilation to the Covenanting party beyond the Spey, and it was deemed necessary that Montrose should return to punish them. As he passed through Aberdeen for this purpose, his army performed a peculiar feat long remembered in the district—the execution of a multitude of dogs

[1] Gordon's Scots Affairs, ii. 262.

found wandering after the practice of their species in the streets. This act was not without its provocative cause. At their former visit to the town, through what was called a "whimsy" of their commander, each Covenanting soldier was decorated with a blue ribbon. It had taken the fancy of the Cavalier damsels of Aberdeen to adorn their dogs with a precise duplicate of this device, and so distinguished were the offending animals found on the return of the great leader and his army.[1]

Montrose marched westward towards the Gordon country. The parson of Rothiemay notes that he stabled his troop-horses in the church of Udny, "a practice then unusual, though afterwards it grew to be more in fashion to turn churches to stables."[2]

When he reached the ground on which he had intended to fight it out with the Barons he could not find his enemy. The Highlanders, with their usual nimbleness, had dived into their mountain recesses, to come forth again instantly when wanted. The leaders, with small bodies of picked men, had each shut himself up in his

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[1] Spalding's Memorials, i. 195. Blue is the Presbyterian colour down to this day; and if Spalding's story be true, this affair was the cause of the adoption: "Here it is to be noted that few or none of this whole army wanted ane blue ribbon hung about his craig [neck] down under his left arm, whilk they called *the Covenanter's ribbon*, because the Lord Gordon and some other of the marquis's bairns and family had ane ribbon, when he was dwelling in the town, of ane red flesh-colour, which they wore in their hats, and called it *the royal ribbon*, as a sign of their love and loyalty to the king. In despite or derision whereof this blue ribbon was worn, and called the Covenanter's ribbon, by the hail soldiers of this army, and would not hear of the royal ribbon—such was their pride and malice."—P. 154.

The parson of Rothiemay says of the Covenanting army which crossed the Tweed next year: "And now the blue ribbons and blue caps had opened the door in the north of England, and the Covenant colours came triumphantly displayed to Newcastle. For it is to be known that, as the last year, so in this new expedition, the Scottish officers mostly wore blue bonnets out of contempt of the English, who scoffingly called them 'Blue-caps.' And they carried blue ribbons either in their caps or hung about them, and their spanners thereto appended like an order of knighthood, the Royalists wearing red ribbons in opposition of that colour."—Gordon's Scots Affairs, ii. 260.

[2] Gordon's Scots Affairs, ii. 264.

own strong house or castle. Montrose now formed the project of destroying these strongholds one by one. He began with the Tower of Gight. It was defended by Johnston, the victor at Turriff, one of the officers trained in the foreign wars, and threatened a tough resistance. Montrose had no siege-train, and his small field-pieces had little effect on the thick stone walls. He set himself down, however, for a steady siege, in which he worked for two days, when, suddenly changing his purpose, he broke up his camp, and retreated to Edinburgh as rapidly as if an enemy had been at his heels.

This was a mistake caused by false information. He learned that Aboyne, with his commission as Lieutenant, had brought a fleet into the roadstead of Aberdeen having a land-force on board. He knew that Aboyne had got an order from the king for two thousand men, but did not know that, as we have seen, the order had been ineffectual. As to Aboyne's fleet, it was represented by a sorry collier-ship from the Tyne and two pinnaces. They carried the contribution supplied by Hamilton under the king's order, and landed some brass cannon and other munitions, and a few trained officers, the most important among whom was Crowner or Colonel Gun, a native of Caithness, who had served abroad.[1]

The retreat of Montrose did far more for the cause of the northern Cavaliers than the assistance brought by Aboyne. The dispersed army of the Barons again gathered round the Castle of Strathbogie, and Aboyne was able to march on Aberdeen with some two thousand footmen and five hundred horse. He had a copy of the English oath of allegiance to the king—this he proclaimed on his way, and tendered for signature as an anti-Covenant declara-

[1] Gun's career was a fair type of the fortunes of the more successful of the Scots officers who served abroad. According to the historian of the house of Sutherland, who says that Gun was born in that county, he returned to Germany, became a major-general in the imperial army and a baron of the empire, marrying "a rich and noble lady beside the imperial city of Ulm, upon the Danube" (Note, Gordon's Scots Affairs, ii. 266). It will be seen that he was not likely to have obtained high preferment at home.

tion. Aberdeen was now again at the command of the Cavaliers, and those who had taken the Covenant, and continued to adhere to it, had to disappear. A curious and expressive chapter of local history might be filled by a description of the revolutions of "the gude toun," alternately under the military domination of either party. The local historian laments over this hard fate as exceptional to the peace enjoyed by the other towns: "No doubt but this vexation was grievous to Aberdeen to be overthrown by ilk party who by might and strength could be master of the fields, whereas all the other burghs within Scotland lived first and last at great rest and quietness."[1]

As we shall presently see, the Tables—now a strong, settled, central government—were solemnly preparing to measure swords with England, or with so much of England as the king could command. With all the rest of Scotland fairly in hand, and contributing their due proportion of taxes and levies for the great national war, it was provoking to find so tough an obstacle in one corner of the country. Critical as the position was of the army in the south, it was necessary, before the situation became still more critical, to send a force sufficient to crush an opposition which, amid the general unanimity in which their policy prevailed elsewhere, had naturally taught them to consider the Cavaliers of the north as traitors to their country's cause.

The knowledge which experience had given Montrose of the duty to be done marked him as the proper commander of the expedition, and he marched northward in the middle of June. It happened that his enemies came so far to meet him. Having an officer of experience like Gun to command them, the Cavaliers in Aberdeen took the strong step of a march southwards, that, picking up adherents as they went, they might come upon the rear of the Covenanting force in the south, while the English Royalist army was dealing with them in front. The ordnance, powder, and heavy baggage for this expedition were to be conveyed along the coast in the three ships brought

[1] Memorials, i. 186.

by Aboyne; but in a storm off shore these drifted out to sea and were heard of no more. When the Cavaliers had reached the Castle of Muchalls, five miles to the north of Stonehaven, Montrose was two miles on the other side, sheltered by Dunnottar, the great fortress of his ally the Earl Marischal. All seemed ready for a critical battle; and that something almost worse than a defeat befel the Cavaliers was attributed to the treachery of Gun, their leader. Their array is thus told: "The van was given to a troop of volunteer gentlemen quiraciers, about one hundred in number, who for the colours carried a handkerchief upon a lance. These wanted nothing to have made them serviceable but some officer to lead them who had had more honesty than Colonel Gunne. The citizens of Aberdeen got the first place of all the foot, who had there a foot regiment of gallant firemen, well appointed, to the number of about four hundred. The Highlanders had the rear, and other troops of horses were put to the wings of the foot."[1]

Either through accident or false strategy it befell that these Highlanders did the work of the enemy. The cannon—"the musket's mother," as they then called it—was an arm of war which they would not meet. The near roar of artillery at once dispersed them. It was not that they were influenced so much by ordinary fear, as by a superstition that the dreadful sound warned them of a force which man must not dare to resist. Montrose was strong in ordnance, having been supplied from Dunnottar. A party of the Covenanters advanced beyond their lines as if to attack the Cavaliers, then suddenly turned and rapidly retreated as if in flight. They were followed, and thus the Highlanders were brought in front of a cannonade, with the natural result. While yet untouched themselves, they beheld some casualties from the cannonade among their allies. One gun carried a twenty-pound ball, "which so affrighted the Highlanders, who stood farthest off, that, without expecting any word of command, they ran off all in a confusion, never looking behind them till they were

[1] Gordon's Scots Affairs, ii. 271.

got into a moss or fast ground near half a mile distant from the Hill of Meager." The rest of the force became unsteady and disappeared. It was not a retreat, for no order was kept; nor a flight, for there was no pursuit; but a dispersal, each seeking his own home. And so "this," says the historian of the affair, "is that action known so well afterwards under the name of the Raid of Stonehive, so ridiculously and grossly managed that in all the war nothing can be recounted like it."[1]

The sole hope for the Cavalier party in Aberdeen now lay in holding the bridge over the Dee—a work of seven arches, narrow and crooked, as bridges were in that day. To this spot such of the scattered force as could again be gathered was brought. What defence-works of turf and stone the short time permitted were run up at the south end. They were so strong and well served that for a whole day the cannon assailed them, and swept the bridge in vain. Next day Montrose tried a strategy of so simple and transparent a kind that its success, in the face of trained soldiers, was attributed to the treachery of the Cavalier commander. The Covenanting army appeared to be ascending the river to cross by a neighbouring ford. The other party went to defend the ford. There were but fifty left at the bridge, and the barriers were forced without resistance. So it was in this northern section of the contest that the second actual conflict as well as the first was fought. The affair of the bridge of Dee made a nearer approach to the dignity of a battle than the Trot of Turriff; and its results were far more eminent, since they decided the fate not of a mere village, but of an important town, the capital of a district.

Thus again the Covenanters were supreme in Aberdeen. Some conspicuous Malignants were imprisoned, others dispersed or hid themselves. There was momentous consultation about the fate of the city—whether it should be rased to the ground, and if not, what penalty should be exacted from it. But an event intercepted the decision of these momentous questions. It was on the 19th of June

[1] Gordon's Scots Affairs, ii. 275.

1639 that the bridge was carried. On the 20th, "whilst the poor city was fearing the worst, that very night came there a pinnace from Berwick, with letters both from the king and chief of the Covenanters, ordering all acts of hostility to cease upon both sides, and intimating that the treaty was closed; so that to-morrow all the prisoners were released, the peace proclaimed, and every man began to come back to Aberdeen to their houses. Yet could not Montrose's soldiers be gotten away out of the town of Aberdeen till the town paid five thousand merks Scots for a taxation to them, so ill were they satisfied both with the want of the plunder of Aberdeen and the hasty news of the peace, which Montrose suspected would come before he entered the town."[1]

It has been thought best to trace up to a temporary conclusion this episode in the great contest, to prevent confusion and clear all out of the way of the account of the far more momentous, though less picturesque and animated, succession of events through which the main quarrel took its course.

[1] Gordon's Scots Affairs, ii. 281, 282.

CHAPTER LXXII.

CHARLES I.

HAMILTON AND LAUD—THE KING'S PREPARATIONS—MOVEMENTS IN SCOTLAND—THE SEIZURE OF EDINBURGH CASTLE AND OTHER FORTRESSES—ROYALIST FLEET IN THE FORTH—ALEXANDER LESLIE GATHERS A COVENANTING ARMY—COMPOSITION OF THE ARMY—THE LOWLAND AGRICULTURISTS—ARGYLE'S HIGHLANDERS—THE CAMP ON DUNSE LAW—THE KING'S ARMY ON THE OTHER SIDE—HINTS ABOUT A "SUPPLICATION"—THE PLAN TRIED—THE KING'S RECEPTION OF IT—PACIFICATION OF BERWICK—SUSPICIONS—A SUPPLEMENTAL GENERAL ASSEMBLY—DEMOLITION OF EPISCOPACY REPEATED—THE KING'S LARGE DECLARATION—A PARLIAMENT—THE CONSTITUTION OF THE ESTATES—DEALINGS WITH THE FRENCH COURT—THE QUARREL RENEWING—STATE OF FEELING IN ENGLAND—AN ENGLISH ARMY MARCHING TO THE NORTH—LESLIE'S ARMY RECONSTRUCTED—MONTROSE AND THE PASSAGE OF THE TWEED—CROSSING THE TYNE AT NEWBURN, AND DEFEAT OF THE KING'S ARMY—OCCUPATION OF NEWCASTLE—TREATY OF RIPON.

HAMILTON'S conduct received the approval of Laud, and therefore of the king; and he went to Court to hold consultations, having first taken advice from Laud on the propriety of such a step. So far as the voices of that age come down to the present, the loudest in denunciation and the firmest in the demand of strong measures is still the voice of Laud. He chafed with fierce impatience at the slowness and insufficiency of the preparations for punishment. "I am as sorry," he says, "as your grace can be, that the king's preparations can make no more haste. I hope you think—for truth it is—I have called upon his majesty, and by his command upon some others, to hasten

all that may be, and more than this I cannot do." And a few days later—on the 7th of December: "In tender care of his majesty's both safety and honour, I have done, and do daily call upon him for his preparations. He protests he makes all the haste he can, and I believe him; but the jealousies of giving the Covenanters umbrage too soon have made the preparations here so late. I do all I can here with trouble and sorrow enough."[1]

The preparations were very formidable in design: "His majesty was to raise an army of thirty thousand horse and foot, and to lead them in person towards Scotland: he was to write to all the nobility of England to wait upon him to the campaign with their attendants, who should be maintained by his majesty's pay: he was to put good garrisons in Berwick and Carlisle—two thousand in the former and five hundred in the latter: he was at the same time to send a fleet to ply from the Firth northward for stopping of trade, and making a great diversion for guarding the coast: he was also to send an army of five thousand men under the marquis his command to land in the north and join with Huntley's forces; all which should be under his command, he retaining still the character of Commissioner, with the addition of general of the forces in Scotland, and with these he was first to make the north sure, and then to move southward, which might both make another great diversion, and encourage such as wished well to his majesty's service, who were the greater number in those parts. Next, the Earl of Antrim was to land in Argyleshire, upon his pretensions to Kintyre and the old feuds betwixt the Macdonalds and Campbells: and he promised to bring with him ten or twelve thousand men. And last of all, the Earl of Strafford was to draw together such forces as could be levied and spared out of Ireland, and come with another fleet into Dumbriton Firth; and for his encouragement the marquis desired him to touch at Arran (that being the only place of his interest which he could offer unto his majesty), and he would be sure of all his men there (such naked rogues as

[1] Burnet's Memoirs of Hamilton, 111.

they were is his own phrase); besides, there were store of cows in that island for the provision of the fleet, which he appointed should not be spared."[1]

But poverty stood in the way of this, as of many another brilliant project. Though the revenue from ship-money supported the Court in time of tranquillity, there was so little for any exigency that the expense of becomingly entertaining the queen's mother crippled the treasury. As a type of the condition of the departments connected with war and the national defence, we may take the facts which Sir John Heydon, Lieutenant-General of the Ordnance, gave as his excuse for not rendering certain returns required by the master-general: "The surveyor is sick; the clerk of the ordnance restrained of his liberty, and one of his clerks absent; the clerk of the deliveries is out of town, and his clerk absent; the master-gunner dead, the yeomen of the ordnance never present, nor any of the gunner attendants."[2]

So wretchedly were the royal fortresses in Scotland apparelled and manned, that the Tables resolved to take them at one sweep out of the hands of the Government. The project was discussed as a matter of policy rather than ability, the question being, whether it was just and prudent to take the king's strong places out of the hands of his appointed servants, and themselves hold them in his name. On the 23d of March, Leslie, at the head of a strong party, demanded possession of Edinburgh Castle. It was refused. Contrary to all proper precaution, he was allowed to put his demand at the outer gate, and when this was closed on him, like a house-door on an unwelcome visitor, he took the opportunity to screw a petard on it. This explosive engine had, of course, been prepared with the latest improvements known in the great war; and the effects of its explosion were so astounding that the garrison tacitly permitted the assailants to take possession of the fortress.

Dumbarton was supposed to be more defensible, "and,"

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[1] Burnet's Memoirs, 113.

[2] Calendar of State Papers (Domestic), 1637-38, preface, xiii.

as Baillie says, "what stratagem to use we knew not, the captain being so vigilant a gentleman, and having provided it so well with men, munition, and victuals; yet God put it in our hands most easily."[1] It happened that this "vigilant gentleman" attended church on Sunday with so many of the garrison that when they were seized on their way back the place was defenceless. Dalkeith was easily taken by assault. Within it were found the warlike stores about which there had been so much discussion. Something still more interesting was found there,—the Honours of the realm—the crown, sceptre, and sword. These were conveyed with reverential pomp to Edinburgh Castle. Stirling Castle did not require to be assailed—it was in the hands of a sure friend, the Earl of Mar. All this was accomplished without the shedding of a drop of blood, and was treated as a mere change of officers—an administrative reform. Some strong places, in the hands of powerful subjects, such as Hamilton Palace and Douglas Castle, were in the same manner put into safe keeping. The Tables cast longing eyes on the fortress of Caerlaverock, already twice memorable in our History. They let it alone, for a reason which shows how much prudence was allied to their strength. As a Border fortress its possession was of moment. But it might have been assisted from the garrison of Carlisle, and it was infinitely desirable to avoid any conflict with English troops.

On the king's side the Commission of Array was issued requiring the feudal force of England to assemble at York. Hamilton was to take a fleet transporting land-forces into the Firth of Forth. "He desired the king might choose a fitter person for the naval forces, since he was altogether unacquainted with sea affairs, and not fit for such an important service. But his majesty, looking upon this as an effect of his modesty, gave no hearing to it, telling him that as for affairs purely naval, Sir John Pennington, the vice-admiral, should go with him, and would abundantly supply his defects in that."[2]

Such was the practice of the day. It took many years'

[1] Letters, i. 193.

[2] Burnet's Memoirs, 114.

experience and many disasters to prove that skill and science are necessary for sea commands, and that birth and rank could not effect the handling of vessels without these qualities.

On the 1st of May Hamilton and his fleet entered the Firth of Forth. He had nineteen vessels, and the rumour spread that he brought five thousand men in them. We are told that these were in good condition, "well clothed and well armed, but so little exercised that of the five thousand there were not two hundred who could fire a musket."[1] This was, it appears, because the trained men were kept at home for the defence of their own counties in case of need. Whether there actually were five thousand men in the fleet may be doubted. Though there were five regiments, we have seen already how, when two thousand men were ordered from them for service, they were not to be found. Two of these regiments were, as we have seen, sent to join the king's army in the north of England. The whole affair partook of a pretence organised, after the fashion of Chinese warfare, to frighten the country. But the alarm inspired by it took the wrong direction. It communicated to the preparations of the Tables an impulsive rapidity. They were soon in possession of thirty thousand stand of arms. They had twenty thousand men embodied, and in the hands of an organisation for diligently drilling and training them. Prompt measures were taken for the defence of the coast. Leith was strongly fortified. Round the coast of Fife there was at that time a string of seaport towns which conducted a lucrative commerce. They had an abundant shipping, and, like all enterprising maritime communities of that age, transacted in the Spanish main and other distant seas a kind of business that accustomed them to the use of arms. These towns were so affluent that King James compared the bleak county of Fife to a frieze cloak with a trimming of gold-lace. All these towns fortified themselves, and there was no spot where a party could be landed from the fleet without a struggle.

[1] Burnet's Memoirs, 120.

The Tables had again been "supplicating" in the old fashion, vindication of the past and determination to go on for the future in the same course, being set forth with all deep humility. The king answered them in a denunciatory proclamation intrusted to Hamilton. Times were changed, however, and it was no longer that the king's lieutenant played a game at hide-and-seek with those who were to neutralise his Proclamation by a Protestation. The authorities in Edinburgh would neither announce the proclamation nor permit it to be announced. They sent a remonstrance to Hamilton, with the old professions of loyalty and humility, but pointing out to him that this document which comes from abroad, and has no sanction from the local government of Scotland, "carries a denunciation of the high crime of treason against all such as do not accept the offer therein contained." "Whereas your grace knows well that by the laws of this kingdom, treason and the forfeiture of the lands, life, and estate of the meanest subject within the same cannot be declared but either in Parliament or in a supreme justice court, after citation and lawful probation; how much less of the whole peers and body of the kingdom, without either court, proof, or trial." They are convinced that it is not the doing of their gracious king, but "a deep plot contrived by the policy of the devilish malice of the known and cursed enemies of this Kirk and State."[1]

On the 20th of May the Scots army was paraded on the links of Leith by their commander-in-chief, Leslie. The articles of war under which they took themselves bound to serve were read to them. Next day the march towards the English border began. They were accompanied by several clergymen, who filled the regimental chaplain department to superfluity. Fortunately for the entertainment and instruction of later times, Baillie was among them, and left some picturesque notices of his experience. He was chaplain to the contingent from Ayrshire, where he ministered, and he says: "I furnished to half-a-dozen of good fellows muskets and pikes, and to my

[1] Burnet's Memoirs.

boy a broadsword. I carried myself, as the fashion was, a sword and a couple of Dutch pistols at my saddle; but I promise for the offence of no man except a robber on the way, for it was our part alone to pray and preach for the encouragement of our countrymen."[1] It may be questioned if any army since the time of chivalry had in it so much of the aristocratic element as this which went to make war upon the sovereign. Baillie says: "Our crouners [that is, colonels], for the most part, were noblemen. Rothes, Lindsay, Sinclair, had among them two full regiments, at least, from Fife. Balcarras, a horse troop; Loudon, Montgomery, Erskine, Boyd, Fleming, Kirkcudbright, Yester, Dalhousie, Eglinton, and others, either with whole or half regiments. Montrose's regiment was above fifteen hundred men."[2] His clerical mind was surprised that so large a representative force of the territorial aristocracy of Scotland should defer to the soldier of fortune who commanded in chief: "We were feared that emulation among our nobles might have done harm when they should be met in the fields; but such was the wisdom and authority of that old, little, crooked soldier, that all with ane incredible submission from the beginning to the end gave over themselves to be guided by him, as if he had been great Solomon."[3]

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[1] Letters, &c., i. 211. [2] Letters, &c., i. 211.

[3] Ibid., 213, 214. Old Leslie was popular in England. The author possesses a slim quarto pamphlet with the title, "General Lesley's Speech in the Parliament of Scotland, the 25th of October 1641, in Defence of himself upon certain Slanders which are reported of him —wherein he expresseth his Affection to the King and Kingdom of England. Also concerning the Traytors of Scotland which did lay a Plot to take away his Life. Printed at London for T. B., 1641." There is a woodcut on the title-page representing the general, in much more than complete armour, careering away on a thundering war-steed. The speech is in keeping with this—a rodomontade of turgid English sprinkled with Latin. It must have taken skill to make anything so absolutely at odds with the tough old practical Scots soldier, who had spent his life abroad, and had a dubious reputation as to reading and writing. The interest in the existence of such a document is in the fact that it should have been fabricated for the English. On turning to the Lord Lyon's diary of the session of 1641, to find whether Leslie did or could address the House on the

There was a strong element of religious enthusiasm in that host, yet perhaps it was not quite so strong as some have believed it was. Through the whole struggle the working of the religious element was in the hands of the loudest speakers, while those whose impulses were of a secular character were more reserved in their communications. What Baillie says of his own entranced inner feelings may have applied to his brother clergy and a few others. The soldiers from the Swedish camp had been taught to submit to religious ordinances as part of the soldier's discipline. The same practice will in some measure account for the sound of psalm-singing and praise which fed the ears of Baillie with spiritual luxuries. That there was somewhat of swearing and brawling, and the other rough usages of the camp, was also an element which he was too honest to conceal.[1]

Argyle was there with a few of his Highlanders. The bulk of the army did not relish the fellowship of such troops, and it had been prudently settled that their main body should remain in Scotland in the rear of the march, "to be a terror to our neutralists or masked friends, to make all without din march forward, lest his uncanny trewsmen should light on to call him up in the rear." The

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25th of October 1641, the response is: "25th October—Monday.—No meeting of Parliament."—Balfour, iii. 119.

[1] The short passage on which the text is a commentary is singularly interesting: "Had ye lent your ear in the morning, or especially at even, and heard in the tents the sound of some singing psalms some praying and some reading Scripture, ye would have been refreshed: true, there was swearing and cursing and brawling in some quarters, whereat we were grieved; but we hoped, if our camp had been a little settled, to have gotten some way for these misorders; for all of any fashion did regret, and all did promise to contribute their best endeavours for helping all abuses. For myself, I never found my mind in better temper than it was all that time frae I came from home, till my head was again homeward; for I was as a man who had taken my leave from the world, and was resolved to die in that service without return. I found the favour of God shining upon me, and a sweet, meek, humble, yet strong and vehement spirit leading me all along; but I was no sooner in my way westward, after the conclusion of peace, than my old security returned."—Letters, &c., i. 214.

small group of Argyleshire mountaineers who crossed the border were an object of wonder, like the French Mamelukes, or the other strange allies that armies employed on distant Oriental warfare bring home with them for ornament rather than use. They came from districts as utterly unknown in England as the interior of Africa, and their people had a terrible name for rapine and ferocity. "It was thought," says Baillie, "the country of England was more afraid for the barbarity of his Highlanders than of any other terror. These of the English that came to visit our camp did gaze much with admiration on these supple fellows, with their plaids, target, and dorlachs." Thus it was in the cause of the Covenant that Highland troops first marched southward, and threatened England.

The army had an excellent commissariat, in which their own sagacious organisation was assisted by fortunate contingencies. The account of the material condition of the host would be spoilt if given in any other than Baillie's own words: "None of our gentlemen was anything worse of lying some weeks together in their cloak and boots on the ground, or standing all night in arms in the greatest storm. Whiles, through storm of weather and neglect of the commissaries, our bread would be too long in coming, which made some of the eastland soldiers half mutiny; but at once order being taken for our victuals from Edinburgh, East Lothian, and the country about us, we were answered better than we could have been at home. Our meanest soldiers were always served in wheat-bread, and a groat would have gotten them a lamb-leg, which was a dainty world to the most of them. There had been an extraordinary crop in that country the former year, beside abundance which still was stolen away to the English camp for great prices; we would have feared no inlake for little money in some months to come. Marche and Tevidaill are the best mixt and most plentiful shires both for grass and corn, for fleshes and bread, in all our land. We were much obliged to the town of Edinburgh for moneys. Harie Rollock, by his sermons, moved them to shake out their purses. The garners of non-Covenanters, especially of James Maxwell and my Lord Wintoun, gave

us plenty of wheat. One of our ordinances was to seize on the rents of non-Covenanters; for we thought it but reasonable, since they sided with these who put our lives and our lands for ever to seile, for the defence of our Church and country, to employ for that cause (wherein their interest was as great as ours, if they would be Scottish-men) a part of their rent for ane year; but for all that, few of them did incur any loss by that our decree, for the peace prevented the execution." [1]

The army, thus effectively equipped, contained twenty-two thousand footmen and five hundred horsemen. It will give some conception of the skill and perseverance of those who sent it forth, to note that, in mere proportion to the number of the inhabitants of Scotland, it was such a feat as if a British war minister of the present day could place an army of some six hundred thousand effective men on the march.

When the army had reached Dunglas, on the Berwickshire coast, the Lord Holland handed to the general a proclamation issued by the king at Newcastle on the 14th of May. It stated that he found the Scots nation were apprehensive that, contrary to his intentions, he had come to invade them. He wishes to remove this impression; "if all civil and temporal obedience be effectually and timely given and shown," there is to be no invasion. The document is full of indistinct matter of this kind; but it contained one positive declaration fit to be a ground of action,—if the Scots came within ten miles of the Border, they were to be treated as "rebels and invaders of this our kingdom of England," and to be attacked by the English army.[2] A council of war was held in the Scots camp, and it was resolved in the mean time to obey the proclamation, and to keep themselves ten miles distant from the Border.[3] An inexplicable incident connects itself with this transaction. A large detachment of the Scots—four or five thousand—were stationed at Kelso. Whether or

[1] Letters, &c., i. 213.

[2] The proclamation is printed from a MS., in Peterkin's Records, 220.

[3] Gordon's Scots Affairs, iii. 5.

not they were at the time conscious of the proclamation, they were then within ten miles of England. The Lord Holland came up with a force of about equal strength and threatened a charge, but finding that it would be steadily received, wheeled his troops round and suddenly left the ground. The Scots exulted over this as an inglorious and disorderly retreat. It is likely that Holland supposed the Scots party to be a small one which he could easily drive back to the prescribed distance, and that when he saw there would be tough resistance he feared the responsibility of fighting the first battle.[1]

The Scots commander called in all his separate detachments, so that his army might intrench itself in a permanent camp at Dunse. This selection was not in literal compliance with the proclamation to keep ten miles from the Border, but virtually it showed that he did not intend to cross the Border and attack the king's army. The nature of the ground was doubtless the reason of selection. The Law of Dunse is a round trap hill entirely coated with thick turf, not interrupted by breaks or rocks. It stands apart by itself, and has a thorough command over the country around, affording a view far into England. Baillie's description of the encampment is brief but sufficient: "Our hill was garnished on the top towards the south and east with our mounted cannon, well near to the number of forty, great and small. Our regiments lay on

[1] Gordon's Scots Affairs, iii. 7. Sir Harry Vane, in a letter to Hamilton, described the affair thus: "My Lord Holland with one thousand horse and three thousand foot marched towards Kelso, which when the rebels discovered they instantly marched out with one hundred and fifty horse, and (as my Lord Holland says) eight or ten thousand foot —five or six thousand there might have been. He thereupon sent a trumpet commanding them to retreat, according to what they had promised by the proclamation. They asked whose trumpeter he was; he said my Lord Holland's. Their answer was, he had best to be gone; and so my Lord Holland made his retreat, and waited on his majesty this night to give him this account."—Burnet's Memoirs, 139. Baillie's view was: "It is thought Holland's commission was to cut off all he met in opposition to him; but his soldiers that day was a great deal more nimble in their legs nor arms, except their Cavaliers, whose right arms was not less weary in whipping than their heels in jading their horses."—Letters, i. 210.

the sides of the hill almost round about. The place was not a mile in circle—a pretty round rising in a declivity without steepness to the height of a bowshot. On the top somewhat plain about a quarter of a mile in length, and as much in breadth, as I remember, capable of tents for forty thousand men. The crouners lay in canvas lodgings high and wide; their captains about them in lesser ones; the soldiers about all in huts of timber covered with divot or straw."[1]

The king's army was on the other side of the Tweed. To honour the presence of royalty it was decorated with much splendour; but its materials were of the same worthless kind as the levies sent to Hamilton's fleet. The two hosts looked at each other, and to the English it was plain that the post taken by the Scots covered any road they might take northwards.

Thus, while still maintaining his divine right and the duty of implicit obedience, the king had come face to face with absolute defeat at the hands of his subjects. The question was, whether he should fight and be beaten, or treat. His advisers could not well hesitate which to choose; but the problem was how to treat, and yet to save the royal dignity. The other side were ready to help to this solution, provided they had practically their own way in all things. A Scotsman, Robert Leslie, one of the royal pages, stepped over to the Scots camp to see and converse with old friends. He touched on various topics, and at last came a suggestion, as if it were a spontaneous thought which he could not help uttering—might it not be prudent at this, the last moment, to present a humble supplication to his majesty? The hint was taken. The "humble supplication," partaking of the brevity of the camp, and strongly in contrast with previous documents of the same name, desired that his majesty would appoint some persons well affected to true religion and the common peace, to hear their humble desires and make known to them his majesty's gracious pleasure.[2] The king referred to his "gracious proclama-

[1] Letters, i. 211.

[2] Rushworth, iii. 938.

tion" to his subjects in Scotland, which had "been hitherto hindered to be published,"—when it was "publicly read" he would hear their supplications at length.

Sir Edward Vernay, a man who saw all the danger and eagerly desired to obviate it, was sent to the Scots camp with this proposal. He was told distinctly that the proclamation could not be acknowledged or published. The reasons for this were given at length and offered to him in writing; they were in substance the same as those tendered to Hamilton.[1] But Vernay was eager for some compromise. In the council of officers round the general's table the proclamation was produced and examined, as people met on business examine the documents connected with it. Some one suggested the reading it over, and it was read accordingly "with much reverence." This Vernay reported as "a satisfaction" of the king's demand. The satisfaction was accepted, and an intimation was sent to the Scots camp, that "his majesty, having understood of the obedience of the petitioners in reading his proclamation as was commanded them, is graciously pleased so far to condescend unto their petition, as to admit some of them to repair to his majesty's camp upon Monday next at eight o'clock in the morning at the lord general's tent, where they shall find six persons of honour and trust appointed by his majesty to hear their humble desires." Thus was the great crisis postponed and an opportunity opened for negotiation. Yet even at this point the Scots exemplified that spirit of suspicion that, whether well or ill founded, had taken possession of them, and a determination to rely on nothing but their own strength. This invitation, signed by Sir Edward Coke, the Secretary of State, was tendered to them as a safe-conduct, but was not accepted to that effect: "Although themselves did not mistrust his majesty's word signified by the secretary, yet the people and army would not permit their deputies to come without his majesty's own hand and warrant." The sting in such an intimation

[1] See above, p. 259. They will be found, as stated in the camp of date 18th June 1639, in Peterkin's Records, p. 226.

could not be the less sharp that it was made in honest caution and not in bravado; but the offence that might be found in it could not be taken in such an emergency. With the necessary changes, "the self-same form which had been signed by Mr Secretary Coke was again returned them upon Sunday night, June the 9th, signed by his majesty."[1]

The commissioners sent from the Scots camp were Rothes, Loudon, Douglas the Sheriff of Teviotdale, Warriston, and Henderson. The place of meeting was the tent occupied by the English commander, the Earl of Arundel. There was something faintly displeasing in this arrangement, since he was suspected of Popish leanings; but the heterodoxy of the owner of the canvas stretched over them was a trifle, and they satisfied their consciences by addressing themselves not to him but to the Lord Holland. It was admitted, too, that Arundel's hospitality, also unaffected by his opinions, was munificent.

They had but begun business when a strange incident occurred. The king stepped into the tent unannounced, and so noiselessly that the Scots commissioners, who had their backs to the entrance, were for some little time unaware of his presence. Such a disturbing influence in deliberative assemblies, especially of small numbers, was inimical to British constitutional precedent both in England and Scotland. Whether or not it was from a reliance on the overawing influence of the sacred presence, King Charles showed great hankering for such surprises —witness his undesired presence and interference in the meeting of the Estates in 1633, and afterwards his appearance in the House of Commons to claim the five members. He attended the conference pretty regularly, and bore with patience and complacency speeches that can have been neither enlivening nor congenial. "The king," says Baillie, "was very sober, meek, and patient to hear all; our spokesmen were very earnest to speak much, to make large and plausible narrations as well they could of all our proceedings from the beginning." "Much

[1] Rushworth, iii. 939; Hardwicke's State Papers, ii. 130.

and most free communing there was of the highest matters of State. It is likely his majesty's ears had never been tickled with such discourses; yet he was most patient of all, and loving of clear reason." "His majesty was ever the longer the better loved of all that heard him, as one of the most just, reasonable, sweet persons they ever had seen; and he also was the more enamoured with us, especially with Henderson and Loudon. These conferences purchased to us a great deal of reputation for wisdom, eloquence, gravity, loyalty, and all other good parts with the English counsellors, who all the time did speak little, but suffered the speech to pass betwixt us and the king."[1]

Thus the king's presence and demeanour infused through those stubborn men a soothing influence, prompting them to reliance. This feeling, however, did not take the direction that he who created it might have desired. It was not a reliance in the soundness of any step which the king might take, but a reliance that they had talked him over to their own side. They startled him somewhat by a request made with due formal reverence, that he would set his own hand as they had set theirs to the abolition of Episcopacy. But even to this he avoided an irritating answer—it was a weighty matter which he must take time to think of.

It would be easy to fill up a narrative of contradiction and debate from the writings connected with this conference. Papers were exchanged, as of old, with supplications and evasions or refusals. The way in which one side set forth in writing the verbal discussions or conclusions was contradicted by the other. When the king proclaimed his view of the future sanctioned by the conference, there was the inevitable "protestation" contradicting him. But these wranglings had none of the importance of those which preceded the Covenant and the General Assembly. Then they represented an actual contest, attended by uncertainties and mutations. Now it might be said that the Covenanters were in possession, and the

[1] Baillie's Letters, i. 217.

question remaining was, whether they were to hold that possession by the sword, or to keep it in peace, avoiding the scandal and the other evils of a civil war.

There were thus some points that might be called open questions, which the stronger party could close at their will. The king would not acknowledge that General Assembly which had been held against his command, and the other party would not disavow it. The whole question was left to a free Assembly and a free meeting of the Estates. The prevailing party could not object to these exercising their full power of revisal. They knew well what the result would be; and if the king's dignity was saved by its resolving itself into that shape, it was well. So with the Bishops. The king would not absolutely accept their destruction, nor would the other party disavow the act—this, too, would be in the hands of the Parliament and Assembly.

For other and immediate matters it was agreed that both armies should be disbanded, and that the Scots fortresses should be restored to the king. There were other items of a secondary kind; but they are of little moment, since each party charged the other as unfaithful to the treaty, and it effected no more than a postponement of the quarrel. Other incidents were promotive of jealousy and irritation. While the king was yet on the Border he sent messages to fourteen of those who had chief influence in the management of Scots affairs, desiring them to come to him that he might consult with them on high and important matters of policy. There was something unusual, to the verge of eccentricity, in such a proposal, especially when a conference in which they were on one side and he on the other had been brought to a practical conclusion. There were two suspicious questions raised about the affair. Did he desire to have these men as his guests and companions, that he might try the influence of his royal blandishments on them? This was the lighter suspicion of the two. The other laid bluntly to his charge a design to kidnap the leaders of the Covenant party. Those so invited all declined to attend. Whatever was meant by the invitation, its rejection was

naturally counted as an offence by subjects to their sovereign.[1]

On the other hand, the king cast a bitter reproach on those with whom he had been so gracious and genial in Arundel's tent. At a meeting of the English Council on the 4th of August, he drew attention to a document containing an account of the Treaty from the Scots side. It had been not only distributed in Scotland but had passed into England. Indeed more than one of those present in Council possessed a copy of it, and when repudiating it in the king's presence felt embarrassment at not being able to say that they had denounced it at first sight. The minutes of the Council bear that his majesty "was pleased to acquaint the lords with a paper he had seen at Berwick, entitled 'Some conditions of his majesty's treaty with his subjects of Scotland are set down here for remembrance;' which paper being in most parts full of falsehood, dishonour, and scandal to his majesty's proceedings in the late pacification given of his majesty's princely grace and goodness to his subjects in Scotland, hath been very frequently spread here in England, and avowed by some in Scotland, to have been approved and allowed as truth by some of those lords of England who attended his majesty and were present at the pacification in the camp." He called on the English commissioners who had been present to attest the falsehood of the account, and the minute of the meeting of Council records their testimony against its accuracy. In the end, "the whole board unanimously became humble petitioners to his majesty, that this false and scandalous paper might be publicly burnt by the hangman."[2]

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[1] The king, when he explained his absence from the Assembly which he had intended to grace, said: "But one of the greatest discouragements we had from going thither was the refusing of such lords and others of that nation whom we sent for to come to us to Berwick; by which disobedience they manifestly discovered their distrust of us, and it cannot be thought reasonable that we should trust our person with those that distrusted us, after so many arguments and assurances of goodness towards them."—His Majesty's Declaration concerning his Proceedings with his Subjects of Scotland since his Pacification in the Camp near Berwick; Rushworth, 1018.

[2] Rushworth, iii. 965, 966.

This was awkward treatment by the Government of England of what was virtually a State paper issued by the existing Government of Scotland. Then we are told that "the pulpits spoke it out very loudly, that the king had caused burn all the articles of the pacification at Berwick by the hand of the hangman after his return to London, which was believed by very many, who upon that account looked upon the king as a truce-breaker, and from that time forwards contracted so great animosity against him that they thought him not to be trusted."[1]

The next stage in the progress of events is the holding first of a General Assembly, and next of a meeting of the Estates. The king had announced that he was to be present at both; but he changed his intention. Hamilton was again desired to act as Commissioner, but he declined the trust. It was natural, and perhaps becoming, that neither the king nor his Commissioner who had professed to close the previous Assembly should preside, since the business to be transacted was a formal surrender of all that the royal prerogative had asserted for upwards of thirty years in the ecclesiastical organisation of Scotland.

The Assembly met at Edinburgh on the 12th of August, with the Earl of Traquair as Commissioner. As in the Assembly of 1638, care was taken to exclude the uncovenanted, and the process had become far less troublesome since the spirit of opposition was dead. Compared, indeed, with the other, this Assembly resembled a conclave of official persons who have to record and put in order the resolutions over which a great battle has been fought, with debates, musters of attendance, and anxious voting. The Commissioner recommended brevity and expedition in the work to be accomplished. In the spirit of getting quickly over a disagreeable but necessary business, he suggested "that all these evils which were the grievances might be viewed together and included under one Act." It was conceded to the king, that although they were virtually met to confirm the Acts of the Assembly of 1638,

[1] Gordon's Scots Affairs, iii. 31.

it should not be referred to in the Acts of the new Assembly, however it might be mentioned in debate. Also, that in confirming the abolition of Episcopacy, nothing should be said abusive of that form of Church government as Popish or otherwise, but that it should be simply condemned as "contrary to the constitution of the Church of Scotland." The same negative courtesy was to be rendered to the Court of High Commission and to the abolished ceremonies.

In this spirit an Act was passed "containing the causes and remedies of the bygone evils of this Kirk." It enumerated the Articles of Perth, the establishment of Bishops, the Service-book, Book of Canons, and the other grievances of which we have seen so much already, and declared them to be "still" abjured and unlawful. A little dramatic scene was prepared for the inauguration of this completion of the revolution. After "Mr Andrew Cant, having a strong voice," had read the Act, some of the clergy present, including certain venerable ministers who had witnessed the perfection of the Presbyterian polity in the days of the Melvilles, were desired to "speak their judgment" on what had been accomplished. The voices of some of these men had been known of old, but in later times had been lost in the storm that had overtaken their favourite polity. Among these were Alexander Somerville, Harry Rollock, John Row, John Bell, William Livingston, and John Ker.

As a fair specimen of these grave rejoicings, we may take the contribution made to them by John Weems, a man unknown in debate or polemics, but a scholar and a patient worker in Biblical criticism: "Mr John Weems called on, could scarce get a word spoken for tears trickling down along his grey hairs like drops of rain or dew upon the top of the tender grass, and yet withal, smiling for joy, said: 'I do remember when the Kirk of Scotland had a beautiful face. I remember since there was a great power and life accompanying the ordinances of God, and a wonderful work of operation upon the hearts of people. These, my eyes, did see a fearful defection after, procured by our sins, and no more did I wish before my eyes were

closed but to have seen such a beautiful day. Blessed for evermore be our Lord and King, Jesus; and the blessing of God be upon his majesty, and the Lord make us thankful.'" On this the moderator, Mr David Dickson, said: "I believe the king's majesty made never the heart of any man so blyth in giving them a bishopric as he has made the heart of that reverend man joyful in putting them away; and I am persuaded, if his majesty saw you shedding tears for blythness, he should have more pleasure in you nor in some of those that he has given great things unto." Thereupon "old Mr John Bell, in Glasgow, said: 'My voice nor my tongue cannot express the joy of my heart to see this torn-down Kirk restored to her beauty. The Lord make us thankful. Lord, bless his majesty and Commissioner.'" "Old Mr Livingston," also, had seen the ancient glory, and mourned under the eclipse, and now he had lived to see the brightness, exclaiming: "And now I have seen it, and bless the Lord for it, and begs the blessing from heaven upon our gracious sovereign." [1]

Such was the extinction of Episcopacy as enacted before the world. But before we understand the full policy of the surrender, we must seek help from some documents which did not so frankly court the light—documents that, had they been known in that Assembly, would have been apt to extinguish the ardour of the thanks and blessings bestowed on the king. Of date the 6th of August—six days before the opening of the Assembly—there existed a letter by the king to Spottiswood, who had been Archbishop of St Andrews, and still was addressed as "right trusty and well-beloved councillor and reverend father in God." It was an answer to an address sent by the Scots bishops through Laud as their mediator, and the scroll of the letter was to be seen in Burnet's day, in the handwriting of Hamilton, "interlined in some places by my Lord of Canterbury." The king begins by telling them that he cannot comply with their proposal to prorogate the Assembly—the political conditions render that impossible. At the same time he does not see the use of

[1] Peterkin's Records, 250-252.

their attempting to hold a meeting—in Scotland it would be dangerous, in England unproductive. Nor would he have them venture into the Assembly. With all this discouragement, he says: "We do hereby assure you that it shall be still one of our chiefest studies how to rectify and establish the government of that Church aright, and to repair your losses, which we desire you to be most confident of." Then, to show that these are not mere vague expressions of goodwill, he instructs them how to begin in secret to aid him in the work of restoration, thus: "We conceive that the best way will be for your lordships to give in by way of protestation and remonstrance your exceptions against this Assembly and Parliament to our Commissioner, which may be sent by any mean man, so he be trusty and deliver it at his entering into the church; but we would not have it be read or argued in this meeting, where nothing but partiality is to be expected, but to be represented to us by him, which we promise to take so in consideration as becometh a prince sensible of his own interest and honour, joined with the equity of your desires. And you may rest secure, that though we may perhaps give way for the present to that which will be prejudicial both to the Church and our own Government, yet we shall not leave thinking in time how to remedy both."[1]

The task assigned to Traquair was delicate, and, looking to the temper of those who had undisputed command in Scotland, also perhaps dangerous. He would naturally desire directions in writing on the point, in addition to whatever he might derive from verbal conference. But such directions would require to be cautiously expressed; for any document from the king regulating the conduct and procedure of his representative in Scotland would not so easily be kept private as the hint given to the poor bishops. Hence this enigmatical instruction: "In giving way to the abolishing of Episcopacy, be careful that it be done without the appearing of any warrant from the bishops; and if any offer to appear for them, you are to inquire into their warrant, and carry the dispute so as the

[1] Burnet's Memoirs, 154.

conclusion seem not to be made in prejudice of Episcopacy as unlawful, but only in satisfaction to the people for settling the present disorders and such other reasons of State; but herein you must be careful that our intentions appear not to any."[1]

After they had concluded the great work, the Assembly had yet something of moment to do ere they separated. The king had come before the world in a new shape—as a controversial pamphleteer. Things had come forth from him, or at least in his name, against which it behoved them to lift their testimony. As the king marched northward, a "Declaration" had been circulated in England vindicating his resort to arms. Whether wisely or not, it appealed to the spirit of High Church and divine right as political influences still powerful in England, and treated the Covenanters somewhat bitterly, saying of their fundamental charter: "Which Covenant of theirs they have treacherously induced many of our people to swear to a band against us; which band and Covenant, or rather conspiracy of theirs, could not be with God, being against us, the Lord's anointed over them. But it was and is a band and Covenant pretended to be with God, that they may with the better countenance do the work of the devil, such as all treasons and rebellions are." There were appeals to other and more material English doctrines or prejudices. He pointed lastly to "their most hostile preparations of all kinds, as if we were not their king but their sworn enemy; for what can their intentions be, being thus prepared, but to invade this kingdom, should they not find us ready both to resist their force and to curb their insolences? For many, and some of the chiefest among them, are men not only of unquiet spirits, but of broken fortunes, and would be very glad of any occasion —especially under the colour of religion—to make them whole upon the lands and goods of our subjects in England, who, we presume, besides their allegiance to us, will look better to themselves and their estates than to share them with such desperate hypocrites, who seek to be

[1] Burnet's Memoirs, 150.

better, and cannot well be worse." This document, called "The Short Declaration," announced that "there is a large Declaration coming forth, containing all the particular passages which have occurred in this business from the beginning, attested with their own foul acts, to disannul and shame their fair but false words." [1]

The "Large Declaration" thus announced, though it professed to expound from the same text, is a document of a different kind. It is a folio volume containing more than four hundred pages. Every student of the history of the period knows it well, since it is not only of interest and moment as a declaration of the royal policy, but it contains in a consecutive form the documents which lie scattered in several collections. The Large Declaration is a patient and precise narrative—tedious, no doubt, but prepossessing in its tediousness, as testifying to an honest desire to leave nothing untold or doubtful. The statements in it are supported throughout by abundant documents, the accurate rendering of which has not been questioned. It is the story of a magnanimous sovereign, the father of his people, dealing with his erring subjects. Some are selfish and aggrandising, others merely petulant and factious. He has on his side all the maxims, Scriptural and traditional, which require the people to obey the powers that are ordained to rule over them. If it be that he is changing some things either in Church or State, it is to remedy confusions and irregularities, and to restore sound order. But above all, he, the supreme ruler, has been meek and forbearing, while those whose duty it was to obey have been arrogant and dictatorial. If he has erred, it is in passive endurance rather than in anger. Into this, his error, he has been led by the Christian spirit of mercy and forgiveness. He has been long-suffering, that he might spare the blood of his rebellious subjects, and leave them an opportunity for penitence and a return to duty.

The Large Declaration would, in fact, be a complete vindication of the Government of Charles I. in his deal-

[1] Bibliotheca Regia, 173 *et seq.*

ing with Scotland, were its primary conditions accepted. Grant that he had the right to do what he was doing, it is shown that he did it in an amiable, considerate, and generous spirit. Whoever admitted that he was an absolute monarch, would readily admit, on the showing of the Large Declaration, that he had borne his faculties meekly in the fulfilling of his great office.

Had this book come from a triumphant cause, it would have been a triumphant vindication. Such as it is, it was well suited to establish the righteousness of the king's position in the monarchical States of Europe. In Spain and France, in the greater part of Germany, and even in the Scandinavian kingdoms, constitutional law and practice would not be understood as legitimate barriers to a king's prerogative. They would be seen only as old troublesome abuses, such as it might be counted meritorious in a government to sweep away. The Declaration was adorned with some touches of sarcasm; but in these, also, there was taste and discretion, since they were directed not against the graver objects and acts of the Covenanters, but against the feminine riots, and some of the eccentricities apt to break out among communities in a state of excitement. Hence there are here preserved some features of the times on which the historians of the Covenant are not explicit—such as the performances of a Mrs Margaret Nicholson, who was subject to fits of raving which passed for prophetic trances.[1]

[1] "The multitude was made believe her words proceeded not from herself but from God. Thence was that incredible concourse of all sorts of people—noblemen, gentlemen, ministers, women of all ranks and qualities—who watched or stayed by her day and night during the time of her pretended fits, and did admire her raptures and inspirations as coming from heaven. She spake but at certain times, and many times had intermissions of days and weeks, in all probability that she might have time to receive instructions, and to digest them against the next time of exercising her gifts, as they call them, which, so soon as she was ready to begin, the news of it was blown all the town over, and the house so thronged that thousands at every time could find no access. The joy which her auditors conceived for the comfort of such a messenger from heaven, and such messages as she delivered from thence, was many times expressed to them in tears, by none more than by Rolloc, her special favourite, who being desired

It was known that the Large Declaration was the work of Walter Balcanquall, a Scotsman who was rising step by step in the English hierarchy. He had become Dean of Durham when the Declaration was published. Thus the arrow was discharged by one who seemed to have removed himself into a place of safety from the coming vengeance; but this did not tend to appease the rage of the brethren. Their method of giving it vent is perhaps the oddest of all their disputative exhibitions, and is of a kind so far apart from the usual tenor of political or theological controversy, that had it come from persons less grave and earnest, it might have been suspected of a latent spirit of jocular sarcasm. They charged the Declaration as an offence perpetrated against the king, whose name had been foully used for the factious purposes of the author. On this view of the case they presented another of their countless supplications to the throne. They appealed to his majesty as "so much wronged by the many foul and false relations suggested and persuaded to him as truths, and by stealing the protection of his royal name and authority to the doctrine of such a book." On this ground they called upon him "to be pleased first to call in the said book, and thereby to show his dislike thereof; next to give commission and warrant to all such parties as are either known or suspect to have had hand in it, and to appoint such as his majesty knows to be either authors, informers, or any ways accessary, being natives of this kingdom, to be sent hither to abide their trial and censure before the judge ordinary—and in special Mr Walter Balcanquall, now Dean of Durham, who is known and hath professed to be the author, at least avower and maintainer, of a great part thereof—that by their exemplar punishment others may be deterred from such dangerous courses as in such a way to raise sedition betwixt the king and his subjects, God's honour may be vindicate from such high contempt, his majesty's justice may appear not only in cutting away

sometimes by the spectators to pray with her, and speak to her, answered that he durst not do it, as being no good manners in him to speak while his Master was speaking in her."—Large Declaration, 227.

such malefactors, but in discouraging all such underminers of his throne, his loyal and loving subjects shall be infinitely contented to be cleared before the world of so false and unjust imputations, and will live hereafter in the greater security when so dangerous a cause of sedition is prevented, and so will have the greater and greater cause to pray for his majesty's long and prosperous reign."[1]

It would be interesting to know whether, on such minds as that of Charles and Laud, a sense of the ludicrous might have lightened up the gloomy scene on the reception of such a "supplication." We are fortunate in possessing some morsels of the debate, if so it can be called where all are of one mind, which ended in this supplication :—

"Mr Andrew Cant said: 'It is so full of gross absurdities that I think hanging of the author should prevent all other censures.'

"The moderator answered: 'That punishment is not in the hands of Kirkmen.'

"The Sheriff of Teviotdale being asked his judgment, said: 'Ye were offended with a Churchman's hard sentence already; but truly I could execute that sentence with all my heart, because it is more proper to me, and I am better acquainted with hanging.'

"My Lord Kirkcudbright said: 'It is a great pity that many honest men in Christendom for writing little books called pamphlets should want ears, and false knaves for writing such volumes should brook heads.'" This was a reference to the fate of Prynne, Burton, and Bastwick. Hence "the Assembly, after serious consideration of the great dishonour to God, this Church and kingdom, by the said book, did condescend upon a supplication."[2]

One other item of business was transacted ere this Assembly dispersed. They expressed their thanks to the goodness of the Secret Council in resolving at their request to enforce subscription to the Covenant by penalties. They therefore, "considering the great happiness which may flow from a full and perfect union of this Kirk and

[1] Peterkin's Records, 206. [2] Ibid., 268.

kingdom by joining of all in one and the same Covenant with God, with the king's majesty, and among ourselves," ordain that "all the masters of universities, colleges, and schools, all scholars at the passing of their degrees, all persons suspect of Papacy or any other error, and, finally, all the members of this Kirk and kingdom, subscribe the same." [1]

Nothing now remained to be done for the rebuilding of the fallen Zion except the sanction of the Estates. They had, according to an arrangement with the Government, assembled on the 15th of May. They had been twice adjourned by the Crown without offering resistance; but now, on their reassembling at the end of August, it was deemed prudent to let them proceed to business. The riding of the Parliament, and all the solemnities, especially those due to royalty, were performed with exactness and more than customary splendour. A fact having no political origin of the time gave a casual lustre to that Parliament. Hitherto the Estates had met in the dingy recesses of the Tolbooth. Now for the first time they occupied the great hall, with its fine roof-work of oaken beams, which has ever since been one of the glories of Edinburgh.[2]

This Parliament was short and disputatious. The first contest was about the constitution of the committee called

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[1] Peterkin's Records, 208.

[2] That versatile scholar and amusing author, James Howell, was present on the occasion, and mentions it in his celebrated 'Familiar Letters.' He talks of the "fair Parliament House built here lately," and the general regret that its opening was not rendered auspicious by the presence of the king. "This town of Edinburgh," he says, "is one of the fairest streets that ever I saw, excepting that of Palermo, in Sicily. It is about a mile long, coming sloping down from the Castle to Holyrood House, now the royal palace; and these two begin and terminate the town. I am come hither on a very convenient time; for here's a national Assembly and a Parliament, my Lord Traquair being his majesty's Commissioner. The bishops are all gone to rack, and they have had but a sorry funeral. The very name is grown so contemptible that a black dog, if he hath any white marks about him, is called Bishop. Our Lord of Canterbury is grown here so odious that they call him commonly in the pulpit the priest of Baal and the son of Belial."—P. 276.

the Lords of the Articles. The Commissioner called the Lords aside into a separate apartment. The other Estates sent messengers to know the reason of this act. They were answered, that the first Estate, with the Commissioner, were selecting the Lords of the Articles who were to serve for the other two Estates, according to usage. It was denied that this was an old usage—it was an innovation of later times, which behoved to be abated, so that each Estate might choose its own representatives in the Committee of Articles. The members were, however, anxious to enter on business; and knowing that they could bring their majority at any time to mould and control whatever might be done, they yielded the question of the constitution of the committee for this one Parliament, protesting against the arrangement as a precedent.

The next dispute was on an Act of indemnity. The Commissioner would have it take the form of a royal pardon graciously extended by his majesty to his erring subjects who had rebelled against him. Naturally the triumphant party repudiated this view; they held that all their acts had been legal, and it was merely to obviate any further cavilling on the point that they desired to have them confirmed by Act of Parliament. A crowd of other disputed projects followed. It had been suspected that the king intended to bring over English favourites and supporters to deal with his troublesome subjects in Scotland. It was proposed to restrict the prerogative right of conferring honours on strangers, and that the castles of Edinburgh, Stirling, and Dumbarton should be intrusted to no governors but Scotsmen born, appointed by Act of Parliament. It was proposed to settle in the negative a disputed right claimed by the Crown to fix the customs duty payable on foreign merchandise, and to limit the power of pardoning criminals, and protecting debtors from molestation by their creditors, also claimed by the Crown.

The Commissioner sent to Court for instructions. The king said he perceived that the cause of their own peculiar religion was no longer the influencing motive of the party in power, and "nothing would give them content but the

alteration of the whole frame of government in that kingdom, with the total overthrow of the royal authority."[1] The Commissioner was therefore instructed to adjourn the Parliament until the 2d of June 1640. The Estates complied with the adjournment, protecting themselves by the old safeguard of a protestation. In this document, and the king's defence uttered in answer to it, the characteristic most remarkable to one accustomed to the documents of that period is the vague and didactic character of the reasoning on both sides, and the absence of the close argument from precedent that is so satisfying a feature in the documents connected with the English Long Parliament.

On the 2d of June 1640 the Estates reassembled accordingly. The king sent from London instructions to adjourn or prorogue the meeting. But the official persons whose signatures and sealings authenticated and recorded such writs either would not or dared not act. The members of Parliament knew, as people know the news of the day, that the king had issued such an instruction; but it was not formally and officially before them, and did not enter on their records. The day fixed for reassembling was on record, not the adjournment or the prohibition to assemble. At almost every step of its proceedings this Parliament takes the opportunity to state that it is "indicted by his majesty," or "convened by his majesty's special authority," and the iteration of this apologetic assertion gives a touch of the ludicrous to its grave proceedings. There was no Commissioner to represent royalty at this assemblage. In the Scots Parliament the Commissioner's office was rather that of the Lord Chancellor's in the House of Lords of England, than the Speaker's in the House of Commons. They elected Robert, Lord Burleigh, "to be president of this meeting of Estates in Parliament," and his position partook both of the Chancellor's and the Speaker's in England.

Thus, in the king's name, and, technically speaking, under his authority, the Estates began the Parliamentary

[1] Gordon's Scots Affairs, iii. 75.

war with him. Though small was the respect held by the English Parliamentary formalists for the Scots Estates and their slovenly practice, it could not be but that the Long Parliament, when it found itself in an almost paralle' difficulty, should look with interest to the course taken by the Scots. And here, as in several other instances, Scotland kept a step before England in the way towards the great contest.

The king, in his Large Declaration, had announced a practical difficulty that must beset a Parliament without Bishops. There were three Estates—the Prelates, the Barons, and the Burgesses. The division into three was essential to the method of transacting business. It was maintained by some that nothing could be carried in the Scots Parliament unless there were in its favour a majority in each one of the three Estates. It was not doubted that a majority in two of the three was necessary. This made, in passing from the votes of the individual members to the votes of the Estates, a majority of two to one on any question. If there were a majority for the measure among the ecclesiastics and the barons, though the majority were the other way among the burgesses, the collective vote would stand two to one; and so if the barons and the burgesses, or the prelates and the burgesses, had majorities in common. There was a practical utility not to be lightly sacrificed in the three chambers. It was the same utility that taught the Romans to hold that three make a corporation. When there are three there is a certainty that every vote will be sanctioned by a majority of two to one.

Accordingly the Estates immediately rearranged themselves into three chambers. The greater barons, holding seats by tenure, were called the nobility; those who, like the knights of the shire in England, represented the smaller freeholders, were called "the barons." The burgesses were the third Estate. This reorganisation of the supreme Legislature was set forth in terms evidently well weighed and adjusted. They formed "an Act anent the constitution of this Parliament, and all subsequent Parliaments." The Act begins with a characteristic preamble,

how "the Estates of Parliament presently convened by his majesty's special authority, considering this present Parliament was indicted by his majesty for ratifying of such Acts as should be concluded in the late Assembly of the Kirk, for determining all civil matters, and settling all such things as may conduce to the public good and peace of this Kirk and kingdom." The Acts of the General Assembly, for the ratification of which the king had cited this Parliament, had excluded the bishops from the Kirk; and whether that exclusion was lawful or not until the Estates confirmed it, in point of fact the bishops were not present, and the Estates must transact business without them. Therefore they determine "this present Parliament, holden by the nobility, barons, and burgesses, and their commissioners—the true Estates of the kingdom—to be a complete and perfect Parliament, and to have the same power, authority, and jurisdiction as any Parliament formally hath had within this kingdom in time bygone." [1]

There had in former times been meetings of the Estates uncountenanced by royalty. We have seen that the Reformation of 1560 was carried at such a meeting; but we have also seen that when the regency of 1567 was established, it was deemed prudent to re-enact the legislation of that year. All questions relating to the participation of royalty in the deliberations of the Estates, and the necessity of the royal assent to their Acts, were surrounded by dubiety. Now, however, for the first time, the Estates

[1] It would appear that much of the business to be transacted in this Parliament had been put in shape before it was known that it would not have the royal countenance. To the Record edition of the Act above cited there is this note: "The warrants of this Act and of many of the subsequent Acts of this Parliament, originally set forth the enacting authority in the usual style, commencing, 'Our Sovereign Lord and Estates of Parliament.' They were altered before the passing of the Acts, to meet the circumstances under which the Parliament was then assembled."—Act. Parl., v. 259. In the superseded Record edition of the Acts this alteration is visible, since the editor of that volume had only the warrants, not the Acts, before him; and he faithfully printed the erasures and interlineations. I am indebted to the courtesy of the Lord Clerk Register for the use of the new edition of the rescinded Acts, not yet completed for publication.

defied the Crown. It was natural that, assembled under such conditions, they should record a vindication of their position. They asserted that the Crown had taken the first step against precedent by seeking forcibly to bring the sittings of 1639 to an end, and that the Estates themselves had shown the spirit of peace and conciliation in agreeing to adjourn when they were not bound to do so.[1] They had sent two commissioners, the Lords Dunfermline and Loudon, to Court to explain their position. These messengers were asked if they came with authority from the king's Commissioner, Traquair; and when it was explained that they had no authority from him, but represented the Estates of Scotland, they were refused an audience, and sent back. This was deemed an act of contumely such as that great assemblage, the Estates of the realm, had never been required to endure at the hands of any monarch. But on the other side it could be pleaded that they were messengers sent not to the king only, and that they would take the opportunity of their presence in London to say a word or two in secret to the party in England who were preparing work for the Long Parliament. It was farther pleaded by the Estates in their justification, that their reassembling on the 2d of June was a virtual bargain between them and the king; and it

[1] The words in which they assert their constitutional position are remarkable, and whatever might be said for or against them on precedent in Scotland, are not to be judged of by the English practice of Parliament: "Because, contrary to our expectation, John, Earl of Traquair, his majesty's Commissioner, did take upon him, without consent of the Estates, upon a private warrant procured by himself against his majesty's public patent under the great seal, to prorogate the Parliament to this second day of June, our duty both to king and country did constrain us to make a public declaration in face of Parliament, bearing that the prorogation of the Parliament without consent of the Estates was against the laws and liberties of the kingdom, was without precedent, example, and practice in this kingdom, . . . and that whatsoever we might have done by the laudable example of our predecessors in the like exigency and extremity, without any just offence to authority, yet that our proceedings might be far from all appearance of giving his majesty the smallest discontent, we notwithstanding did choose to cease for that time from our public proceedings in Parliament."

never yet was known that if one party to a bargain failed to fulfil his part, the other was precluded from carrying out the arrangement if it had the power to do so.[1]

It was asserted by the Estates that everything was done on their part that could be done to keep peace, while his majesty's evil advisers were doing their best to foment discord: "Scandalous relations of our Parliamentary proceedings have been made at the council-table of England, and the benefit of hearing before the Council denied to our commissioners. Great violence and outrage done by the Castle of Edinburgh, not only against men and buildings, but women and children. Our ships and goods taken at sea, and the owners stripped naked and barbarously used. A commission given for subduing and destroying of this whole kingdom. All things devised and done that may make a rupture and irreconcilable war betwixt the two kingdoms. Our commissioners hardly used while they were in England by restraints put upon them, and the Lord Loudon still imprisoned. No answer given unto them or returned unto us touching our just demands, but in place thereof a declaration given out denouncing war, and provoking the other two kingdoms to come against us as traitors and rebels. And when we had patiently endured all these evils in hopes of some better news at this 2d of June, appointed for sitting of the Parliament, hearing nothing from his majesty or his majesty's Commissioner, either to settle this kingdom according to the articles of pacification, or to interrupt our proceedings;" therefore, for acquitting themselves of the great trust committed to them, "and for preventing the utter ruin and desolation of this Kirk and kingdom," they are constrained in the great exigency to abide together until the business before them is completed.[2]

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[1] The Estates, in their justification, said the Commissioner has assured them that the king would keep his "royal promise," and seemed "to be so far from judging it unlawful to us to proceed at the day appointed, in case we should be postponed and frustrated by new prorogations, that he made often and open profession that he would join with us therein."

[2] Act. Parl., Revised Record Edit., v. 256, 257.

Before beginning with their legislative business, the Estates indorsed the Assembly's testimony against the Large Declaration, finding it "to be dishonourable to God and His true religion, to this Kirk and kingdom, to the king's majesty and to the Marquis of Hamilton, then his majesty's Commissioner, and divers other persons therein, and to be full of lies." And they ordained "the authors and spreaders thereof to be most severely punished, according to the laws of this kingdom against leasing-makers betwixt the king's majesty and his subjects, slanderers of the king and kingdom, and raisers of sedition and discord between them; that all others may be deterred from such dangerous courses, God's honour may be vindicated, the innocency of the Kirk and kingdom, and his majesty's justice and goodness may appear not only in censuring such malefactors, but in discouraging all such underminers of his majesty's throne, and abusers of his royal name, by prefixing the same to such scandalous and dishonourable treatises."[1]

The Estates confirmed the proceedings of the Assembly, and adopted the Covenant as an Act, requiring all citizens to subscribe it under civil penalties against defaulters. They began the application of this test with themselves, requiring that each member of the Estates should subscribe it, all who failed to do so being disqualified to sit and vote—a rule to apply to all subsequent meetings of the Estates. They facilitated the importation of arms, and organised a system of taxation in which defaulters were to be treated as "non-Covenanters." They passed an Act establishing triennial Parliaments. Arrangements were made for the distribution of the vacated revenues of the bishops, and the other secular rights affected by the depositions passed by the Assembly. Care was had formally to ratify all things, whether of a civil or a military character, in furtherance of the Covenanting cause, and to denounce as illegal all things done on the other side. A distinct infusion of Puritanical spirit is visible in this Parliament in the matter of legislation for Sabbath observance.

[1] Act. Parl., Revised Record Edit., v. 264.

Before separating, they passed what afterwards proved to be among the most important of their Acts. It appointed a permanent "Committee of Estates" to act when Parliament was not sitting. It consisted of so many from each of the three Estates, according to the new division. This powerful body was compact and movable, and was to act "in the camp" as well as at the seat of Government. Having sat till the 11th of June, the Estates adjourned till November.

In their vindication allusion was made to the detention in prison of the Earl of Loudon. This arose out of a transaction which calls for notice. The political relations between England and France had become precarious and lowering. The chief interest which affected England abroad at that time concerned not the nation but the royal family—it was the position of the king's sister, the newly-widowed wife of the Elector Palatine, and of her son, the heir to the fortunes and misfortunes of that house. England could not be got to join France and the northern powers against Austria and Spain, and the reason of this was said to be that Charles was persuaded that he had more to hope for the Palatinate from these two powers than from France. Richelieu, indeed, had struck a strong and very offensive blow in seizing the young Prince Palatine as he passed through France in disguise; it was said that he was on his way to the Duke of Weimar, the bearer of proffers to induce that dealer in mercenary troops to transfer his contingent from the service of France to that of Austria.

It was at this juncture that, by an intercepted letter, King Charles found that the Scots Covenanters were seeking aid from the King of France. The documents show that those concerned in this negotiation were Montrose, Rothes, Leslie the general, Mar, Montgomery, and Loudon.[1] A certain William Colville was accredited to

[1] One of the original papers still exists in the Wodrow collection of the Advocates' Library. The signature of "A. Leslie" has invited curiosity, because it was a Cavalier tradition that he was so illiterate as to be unable either to write or read. Lord Hailes, who rarely indulges in

the French Court to negotiate the affair. It has been supposed that it went no farther than the drafting of the proposals, and that they never reached France. But a recent French historian has found documents, on his own country's side of the negotiation, much more full in explanation of it than the few preserved in Britain.[1] These proffers came to no practical result, because the Scots Covenanters found in England better friends than France could by any possibility give them. Had it been that a conquering and oppressing English army was to march over Scotland, the landing of French troops in the country would have been a natural event. The scenes change, however, so rapidly in their display of new political conditions, that while the French ambassador in England is perplexed about the question whether the seizure there of Colville on his way to France should be resented, and about the intercourse to be held with the English malcontents as a means of annoying the Government, he has to turn suddenly to the consideration of a new alarm prevailing in the Parliamentary party—the alarm that King Charles is to get assistance from a French army to establish despotic authority over England.

The overture of men standing forth for civil liberty and the Presbyterian Covenant to a despot and a Papist, caused on its discovery much odium, which has accom-

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pleasantries, says : "It is reported that once upon a march, passing by a house, he said, 'There is the house where I was taught to read.' 'How, general!' said one of his attendants ; 'I thought that you had never been taught to read.' 'Pardon me,' cried he ; 'I got the length of the letter G.'"—Memorials and Letters, Charles I., 61. There are letters from him, in a fair hand of the day, in the Lothian papers.

[1] Relations du Cardinal de Richelieu avec les Ecossois Covenantaires et le Parlement d'Angleterre ; Mazure, Histoire de la Révolution de 1688 en Angleterre, iii. 402. The author of this book notes with some surprise how little foreknowledge there was in the wise Richelieu of the consequences of helping to make the precedent for subjects resisting their sovereign : "Ces documents suffisent sans doute pour montrer sous quel point de vue le Cardinal de Richelieu considéroit les troubles de l'Angleterre. Il n'y voyoit pas la question de la royauté en peril, mais la question des intérêts de l'Autriche, auxquelles la Reine-mère et la Reine d'Angleterre etoient devouées." —P. 428.

panied it into later times. But this odium arose on an English view of the affair. It was high treason, as Clarendon said, for subjects to treat with a foreign prince against their sovereign. No doubt it was so in England; but, as we have seen, the Estates in Scotland held tenaciously to foreign diplomacy, with the establishing of peace or war, as a power of their own not deputed to the sovereign; and though the diplomatists in this instance had not an Act of the Estates to justify them, they knew that they were doing what the Estates would confirm. Then their appeal was to that ancient league with France which had never been solemnly revoked. Look at the issue between England and Scotland as it stood at the moment. No doubt the king had professed to abandon several of the points on which the quarrel had arisen. But every practical political man knew then, and every student of the times knows now, that had King Charles led a victorious English army over Scotland, he would have enforced on the country the Prelacy, the Service-book, the Canons, and the High Commission, and that he would have curtailed the power of the States and raised the royal prerogative above it.

Hence it was the old story of the peril, and the appeal to the friend who had ever been prompt in time of peril. The English Crown having established tyrannical prerogatives and offensive observances in England, was sending an army into Scotland to subdue the country and break its free inhabitants to the same rule. France could not forget that bloody field in which, when all seemed lost, these sturdy Scots had turned the tide against the same proud enemy. She could not forget how, for this and many another act of heroic kindness, she had reciprocated by effective help at that terrible crisis when the conquest designed by Henry VIII. in his tyrannical fury seemed coming to its completion. Here, again, was a like peril —would their friends of old be still their old friends? In this light the appeal of the Covenanters to the Government of France was not to be counted as if a crew of factious fanatics sought to further their rebellion against their

king and master by those who were the enemies of both, but most of all the enemies of themselves. It was the re-strengthening of a bond that had been weakened, not broken—a resuscitation of an old loyal friendship which had softened with a touch of chivalry the selfish politics and cruel wars of feudal Europe.

Perhaps they toned their appeal somewhat to suit foreign ears, when they said, as they did, that the Court of High Commission dealt forth tyranny and cruelty unequalled by the Inquisition in Spain. But they repeated only what they never swerved from at home when they asserted their loyalty, saying that "our intentions are no way against monarchical government, but that we are most loyally disposed towards our sacred sovereign, whose personal authority we will maintain with our lives and fortunes; but that all our desires reach no farther than the preservation of our religion and liberty of Church and kingdom established by the laws and constitution thereof."

The persevering announcements of their loyalty by the Scots Covenanters is perhaps, to those much conversant with other revolutionary histories, one of the strangest features in this one. It is repeated expressively, and with undoubted sincerity, not only in public documents, but in private meditations. Baillie, when he is marching south ward with that glorious army conquering and to conquer, with the power of God shining upon him, in his confidential communings with his friend Sprang, says: "We knew at once the great advantage we had of the king; yet such was our tenderness to his honour, that with our hearts we were ever willing to supplicate his off-coming. Yea, had we been ten times victorious in set battles, it was our conclusion to have laid down our arms at his feet, and on our knees presented nought but our first supplications. We had no other end of our wars. We aimed not at lands and honours as our part. We desired but to keep our own in the service of our prince as our ancestors had done. We loved no new masters. Had our throne been void, and our voices sought for the filling

of Fergus's chair, we would have died ere any other had sitten down on that fatal marble but Charles alone."[1]

It was hardly to be expected that the English of that day could see the matter in this view, yet the Government went so far in the opposite direction as to commit one of the most dangerous pieces of folly committed in that period of blunders. The "Short Parliament" began with a denunciation of the Scots in strong terms as traitors and rebels. But the king founded sadly fallacious hopes on the effect of producing in that assembly the letters to France, and, as the chief object of holding a Parliament, demanded a large and immediate subsidy to provide for the war. The Commons, however, voted grievances before supplies, and the great charge of a treasonable correspondence with a foreign enemy passed unnoticed out of sight. But a worse thing was done. We have seen that the Lords Dunfermline and Loudon, when they went to Court after the Parliament of 1639, were sent away without a hearing. They were permitted to return, or, as it was said, ordered up to make explanations; and when they were in attendance, Loudon was seized as one whose name was at the appeal to France, and committed to the Tower. Loudon said he had his pleas, which he was prepared to urge were he brought to trial in Scotland, but he could not be arraigned in England for his conduct as a Scots subject. No doubt, sending him to Scotland for trial was equivalent to releasing him, but not the less would it be a national outrage to deal with him in England. There were whispers that he was to be put to death without trial, as an enemy found in the position of a spy; and even this, though it might seem the harsher and more barbarous fate, would scarce have been so deep a national insult as putting a Scots statesman on trial in England for his actions in his own country. "There were," says Burnet, "some ill instruments about the king who advised him to proceed capitally against Loudon, which is believed went very far; but the marquis opposed this vigorously, assuring the king that if that were done Scot-

[1] Baillie's Letters, i. 215.

land was for ever lost." The end was that Loudon was released untouched. We are not told the reason why the policy on which he was imprisoned was thus dropped; but the affair was one of the many in which the unfortunate monarch secured all that harvest of rancour that follows on a blow without having the satisfaction of dealing it.[1]

Though this affair does not hold a large place in the usual histories of the civil war, it was one of the turning-points by which great conclusions were reached. According to Clarendon, it determined the king and his immediate advisers to call a Parliament. To meet the cost of a war both with France and Scotland there was no other possible resource. Then the defence of England from a joint invasion of the French and Scots was a far more hopeful cry than the policy of sending an army to punish the pertinacious Scots. We are told by Clarendon, that instantly on the discovery of the Scots appeal to France, the king "first advised with that committee of the Council which used to be consulted on secret affairs what was to be done." The conclave thought a Parliament so urgent a necessity that on the same day the instruction was issued by the king in Council to the Lord-Keeper to issue the writs.[2] These brought together the "Short Parliament" on the 3d of April 1640; but that day's work in Council ended in the assembling of the Long Parliament.

It would be a satisfaction to have a fuller account than

[1] Clarendon makes one of his picturesque mysteries out of the "stratagem," as he calls the release of Loudon: "This stratagem was never understood, and was then variously spoken of, many believing he had undertaken great matters for the king in Scotland, and to quiet that distemper. . . . They who published their thoughts least made no scruple of saying 'that if the policy were good and necessary of his first commitment, it seemed as just and prudent to have continued him in that restraint.'"—Vol. i. 144. Lord Northumberland, writing to Lord Conway, says: "The enlargement of Lord Loudon causes a belief here in the world that we shall come to terms of accommodation with the Scots, but seriously I do not know that any such thing is intended."—Bruce's Notes, xix.

[2] Clarendon, ed. 1705, i. 130, 131; ed. 1843, p. 53. That "committee which used to be consulted on secret affairs" is the germ of the modern "Cabinet."

the ordinary histories afford of the condition and temper of England during the short interval between the two Parliaments. The latest voice from England on this point says: "What that condition really was, what the state of mind of the English people in 1640 towards the king, the Government, and the Scots, and with reference to the then passing public events, is a question of the deepest historical interest," since "the treaty of Ripon cannot be understood without some knowledge upon this subject far different from that which can be acquired from the ordinary authorities."[1] I feel, as this author said in reference to his own province, that the question "requires for its proper answer freer scope and a wider compass" than it can obtain in a history of Scotland. It belongs essentially to the history of England; and it is there that it should be written, so that the investigator in the peculiar region of Scots history should be able to refer to it as finally adjusted and accepted by the English historians.

As the matter stands, let us note what is to be readily found about the condition and temper of England at that time. It was shown by the Short Parliament itself, and more emphatically afterwards, that it was something very different from that sunny prospect which, according to Clarendon, soothed the king into an endurance of a thing so detested as a Parliament: "This long intermission, and the general composure of men's minds in a happy peace and universal plenty over the nation—superior, sure, to what any other nation ever enjoyed—made it reasonably be believed, notwithstanding the murmurs of the people against some exorbitancies of the Court, that sober men, and such as loved the peace and plenty they were possessed of, would be made choice of to serve in

[1] Notes of the Treaty carried on at Ripon between King Charles I. and the Covenanters of Scotland, A.D. 1640, taken by Sir John Borough, Garter King-of-Arms. Edited from the original MS. in the possession of Lieutenant-Colonel Carew, by John Bruce, Esq., F.S.A. Camden Society, 1869. Preface, p. viii.—When I last saw the learned and genial editor of this little book, he showed it to me in preparation for the press, and led me to expect a valuable contribution to a critical period in history. It was the last of his many precious contributions to British history. He died on the 28th of October 1869.

the House of Commons; and then the temper of the House of Peers was not to be apprehended." A farther propitious feature of the times was "the prejudice and general aversion over the whole kingdom to the Scots; and the indignation they had at their presumption in their thought of invading England, made it believed that a Parliament would express a very sharp sense of their insolence and carriage towards the king, and provide remedies proportionable."[1]

The organisation for collecting ship-money and other feudal dues had been made so complete and commanding as to gather into the exchequer all the money that could by any available interpretation of the law come within those imposts. The revenue from them seemed sufficient to sustain the Court and Government in time of peace, but when war approached more was wanted. This more was to be obtained through a Parliament; but the Parliament was dissolved before it gave anything, and the effect of its discussions and abrupt dismissal appears to have been seriously to weaken the machinery for collecting the feudal dues, and to shake the credit of the Government with the moneyed world.[2] The result is described by one

[1] History, i. 130; ed. 1843, p. 53.

[2] This view, and the others following in the text, are founded on the passages from record authorities furnished by Mr Bruce as examples of the information available to the English historian. For instance, the Sheriff of Hereford explains that, "upon notice of the late Parliament, many of the chief-constables refused to levy the ship-money or come before the examinant" (xii). The Sheriff of Derby says: "I find such opposition and evil-affectedness in the greatest part of the county, that since the dissolution of the last Parliament they do not forbear to dare me and bid me distrain at my peril, giving forth threatening words against me" (xiv). The Sheriff of Cornwall finds that "the constables make a very small return of ship-money; and when they distrain, very few would buy any of the goods, so that for want of pasture they were forced to return the cattle distrained to their owners again." The Sheriff of Cambridge reports that "in the execution of the ship-money writ at Melbourne his bailiffs were assaulted by more than one hundred of the inhabitants, five or six of them grievously beaten, and all of them hardly escaping with their lives. The men dared not again go about that or any other business of his majesty; and such was the opposition in divers other parts of the county, that the sheriff could not go through the service unless

on whom heavy responsibility lay—the Earl of Northumberland, who was to command the army of the north: "Most of the ways that were relied on for supplies of money have hitherto failed us, and for aught I know we are likely to become the most despised nation of Europe. To the regiments that are now rising, we, for want of money, have been able to advance but fourteen days' pay—the rest must meet them upon their march towards Selby, and for both the horse and foot already in the north we can for the present send them but seven days' pay."[1] A disinclination to render obedience to the Commission of Array seconded the unwillingness to submit to the feudal exactions. Whether from the sorry prospect of pay, or distaste for the service, those who were considered liable to serve in the army resisted the conscription; and when embodied, they were often so mutinous as to be more dangerous to their officers than they were likely to be to the enemy.[2]

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course were taken for suppressing such insurrections" (xvii). The Sheriff of Oxford said that "wherever he came constables could not be found at home; gates were chained, locked, or barricaded; all officers refused to assist him, and the county would not pay but by distress" (xix).

[1] Ibid., xix.

[2] Northumberland says, with the eloquence of desperation: "The city of London, Kent, Surrey, Essex, Hertfordshire, Buckingham, and Bedfordshire are so damnably restive that I doubt we shall not get near our number of men from these places; the rest of the counties I hope will do reasonable well in raising their men" (xv). Certain deputy-lieutenants coming to Bungay on press duty say: "The soldiers fell into a mutiny, threatening our deaths, beset us in our chamber, kept a watch upon our horses, and waylaid us so as we were enforced to keep our chambers" (xv). It is reported of six hundred conscripts from Dorsetshire, passing through Farringdon, in Berkshire, "they in a barbarous manner murdered Lieutenant Mahon, one of their company, and have threatened the rest of their commanders to put them to the sword, insomuch that they are all fled; and the soldiers being now at liberty, in probability will much endanger the town and the country adjoining." While Northumberland writes to Conway: "Our troops are upon their march from some of the counties, but I hear that they run so fast away that scarce half the number will appear at the rendezvous in the north" (xvi). Conway, writing to Secretary Windbank, puts this epigrammatic point to the whole wretched affair: "I fear unpaid soldiers more than I do

There was suspicion among their lines for various reasons, but one form was significant of what was passing through their minds about events in England, and the reference of these events to the service for which they were raised. A suspicion crept in among them of Popish tendencies in their officers, and a design to make them serve some project dangerous to the Protestant religion in England. Whatever they had heard of the enemy they were marching to meet, did not suggest that their suspicions were unfounded.[1]

It appears that among the practices for which these troops were troublesome was the destruction of any ecclesiastical decorations associating the innovating party in the Church with Popery. They seemed to be influenced by a desire to leave behind them in this shape a protest that in marching against the Presbyterians in Scotland, they were not to be understood as fighting the battle of Laud and his party.[2]

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the Scots and the devil to boot. God keep you from all three!" (xxiv).

[1] At Marlborough it is reported of the company under the command of Captain Drury, that suspecting him of Popery, they suggested that all should take the sacrament—according to the form of the Church of England, it is to be presumed: "The captain showing little inclination to that motion, at least for his own receiving, the soldiers pressed him so much the more to it; and when they perceived he would not, they told him plainly, if so be he will not receive the communion, and pray with them, they will not fight under him; and in this manner they cashiered their captain" (xv). An officer writing from Cirencester, says: "The Puritan rascals of the country had strongly possessed the soldiers that all the commanders of our regiment were Papists, so that I was forced for two or three days to sing psalms all the day I marched, for all their religion lies in a psalm" (xxii). Other instances were more tragic, as in the report by the deputy-lieutenants of Devon on the fate of Captain Evers at the hands of his own company: "Forbearing to go to church, they suspected him to be a Papist, whereupon they set upon him and murdered him." "On endeavouring to arrest four of them, above twenty others came forward declaring that they were all equally guilty, and if they would hang one they should hang all" (xx).

[2] Lord Maynard reports to the Council that "the insolences of the soldiers billeted in Essex every day increase. Within these few days they have taken upon them to reform churches, and even in the time of divine service to pull down the rails about the communion-tables."

The one ray of hope through these difficulties was in itself also of a dismal and desperate character. It was that the Scots might be worse off than themselves, and so be routed and conquered before a close contest should show the weakness of the English army. Northumberland casts aside his difficulties of detail about fortified posts by the general reflection: "But we are going upon a conquest with such a power that nothing in that kingdom will be able to resist us."[1]

A point of extreme interest is naturally sought out through every scrap of internal information about England at that time. To what extent had the Scots, who began the great civil war, an understanding or alliance with the English Parliamentary party at this juncture? As the question might have been otherwise put at the time, how far had the rebels in Scotland made practical arrangements with their accomplices in England? Rumours were accepted here and contradicted there, about a bond of co-operation with the Scots, signed by sixty-three men of note in the Parliamentary party. Burnet, in one of his circumstantial stories, tells how, when Dunfermline and Loudon were in London, the Lord Saville dealt with them in the name of the chiefs of the party, and showed a written obligation signed by some of them to co-operate with the Scots, if they would march into England. This was sent to Scotland by a confidental messenger, who concealed it in a hollowed walking-stick, and travelled as a pedlar. It was to be shown only to Argyle, Warriston, and Henderson. The document was spurious, and the signatures to it were all forged by Saville. In completing the story from the authorities of the period, the exposure of the forgery makes a dramatic scene. At the treaty of

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Lord Warwick reports to Secretary Vane an outrage of this kind attended by peculiar ingratitude: "Dr Barkham, parson of Bocking, having given the soldiers a barrel of beer and fifty shillings, I found them much distempered by drink; and in that distemper they went to his church and pulled up the rails about the communion-table, and brought these before their captain's lodging and burnt them. The like they did to another town near thereunto" (xxiii).

[1] Ibid., viii.

Ripon the Scots reproach those who, after having invited them into England, instead of entering on mutual confidences, treated them as strangers. They denied the invitation, and Saville had to act the part of the detected forger. But this will not harmonise with another revelation, which, professing to give the papers that passed between the Scots and the Parliamentary leaders, imports that the Scots distinctly asked for assistance, and that it was as distinctly refused, although the refusal was so toned as to show a sympathy in their cause, and an anticipation that it might become the common cause of both countries.[1]

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[1] The story is told in Burnet's 'Summary of Affairs before the Restoration.' He gives it a circumstantial air by talking of Warriston, one of the parties to it, as his own uncle. Clarendon mentions it generally as one of the suspicions connected with Saville's evil reputation. The scene at Ripon is given in Nalson's Collection (ii. 427), "out of the Memoirs of the late Earl of Manchester, then Lord Mandeville, an actor in this affair." The opening of the scene is thus: "When the Scotch commissioners had passed the ceremonies and general civilities of the first meeting with the English commissioners, the Lord Loudoun and Sir Archibald Johnston applied themselves particularly to the Lord Mandeville, desiring him to give them a private meeting, that they might impart to him something of near concernment to himself and others the lords then present. This was readily granted; and they then went to the Lord Mandeville's lodging, where being set together, the Lord Loudoun began with very severe expostulations, charging the Earls of Bedford, Essex, and Warwick, the Lord Viscount Say and Scale, the Lord Brook Saville and himself, with the highest breach of their promises and engagements, professing that they had never invaded England but upon confidence of their keeping faith with them, according to those articles which they had signed and sent unto them." Then comes the explosion. The doubts that any such affair ever occurred are strengthened by the absence of any reference to it in Mr Bruce's Ripon Papers. The supposition that there had been a real invitation to the Scots connects itself with another matter. This Lord Mandeville is the same Lord Kimbolton who was impeached along with "the five members;" and one of the articles of impeachment was, "That they have traitorously invited and engaged a foreign power to invade his majesty's kingdom of England" (Parl. Hist., ii. 1005). Pym, in his celebrated defence, pointed this charge towards a later turn of events: "If to join with the Parliament of England by free vote to crave brotherly assistance from Scotland—kingdoms both under obedience to one sovereign, both his loyal subjects—to suppress the rebellion

That the Scots acted on an invitation from England, whether genuine or spurious, is unnecessary to the conformity of events, and indeed rather tends to disturb than to complete their sequence. The policy of the Scots was, if they were attacked, to retaliate; and the policy of their retaliation was to get possession of the great coal-fields which supplied the fires of London. There were many opportunities for exchanging sympathies and sentiments between statesmen of all classes in the two countries, and it is needless to inquire what they said to each other.

The tendency to seek a solution of the coming events in a specific contract or treaty has grown from an imperfect perception of the natural bond of common interests and dangers. The opponents of the prerogative, both in England and in Scotland, far apart as they afterwards separated, stood at that time on the common ground that each professed to suffer from innovations on the established constitutional practice of their Government. The larger violation of the constitution fell to Scotland, because her institutions were the more antagonistic to the projects of the innovators. Thus the English constitutionalists had before them an example of what the prerogative was capable of attempting. It was a natural thought to cross their minds—to use the figurative language of Rehoboam —"We have been chastised with whips; let us see how those who have been chastised with scorpions will act." Those who looked at the innovations in Scotland rather in sorrow than in anger, saw at an early point the English sympathy, and were alarmed by the sight. It had gone on increasing; and it could not be smothered by the old

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in Ireland, which lies gasping every day, in danger to be lost from his majesty's subjection, be to invite and encourage foreign power to invade this kingdom, then am I guilty of high treason."—Ibid., 1014. The place where the correspondence itself is professed to be given for the first time is Oldmixon's History (i. 141). Here the Scots specifically ask their friends to help them "by their rising in one or sundry bodies among themselves, or by sending to us near the Borders some present supply of money, or clear evidence where we shall find it near hand." In the document professing to be an answer to this the request is refused, as to grant it might involve a charge of treason.

panic-cry about a Scots invasion, even when this was aggravated by an appeal to France for assistance. It was in the north, where the hatred of the Scots used to be the strongest, that the sympathy with them was becoming the greatest. "I am persuaded," said Osborne, the Vice-President of York, "if Hannibal were at our gates, some had rather open them than keep him out."[1]

It was easy to reassemble the army so recently dispersed in Scotland. Leslie was again the commander, and in the middle of July he mustered at Dunglas a force of more than twenty thousand foot and two thousand five hundred horse. Again we are fortunate in the circumstantial Baillie having accompanied the host. Hard pressure had to be applied to raise money. The regular taxation took time, and twenty thousand merks were required daily; and "from England there was no expectation of moneys till we went and fetched them." Money was lent and given by the enthusiastic friends of the cause, and contributions of plate were taken to the mint. As it was desirable that their march through England should be as inoffensive as it could be rendered, a serviceable equipment of tents was required, so that they might neither quarter on the people nor do mischief by gathering materials for hutting. The linen stored up, according to national custom, by the thrifty housewives of Edinburgh, supplied this want. The eloquence of a popular preacher did much to open this resource; for "Rollock had so sweetly spoken to the people's minds on the Sunday, that the women, afternoon and to-morrow, gave freely great store of that stuff—almost sufficient to cover all our army."[2]

The army was to abide some time on the Border, and then, if necessary, march into England. On the 20th of August they crossed the Tweed at Coldstream. Lots were drawn as to the order of march through the river, and chance gave the lead to Montrose's contingent. He made himself conspicuous by his zeal and alacrity in leading the way and carrying through his own people

[1] Notes on Treaty of Ripon, xxvi. [2] Baillie's Letters, i. 255.

—it was in keeping with the ardour of his nature; but some said that on this occasion the exhibition of ardour was but a mask to hide treachery. They passed southward in detachments, all to assemble on Newcastle Moor. When they reached this spot they found that the town of Newcastle was defended, and that a considerable English force, under Conway, was at hand on the south side of the Tyne. It was clear, then, that they must fight for the mastery of Newcastle and the district around, otherwise the English, having both sides of the river, would command Northumberland. Leslie determined on the strategy of turning the enemy's flank. The chief fortifications of the town were of course towards the north. Instead, therefore, of besieging the place from that side—defended, as it would be, by a considerable force — he resolved to cross the Tyne, and fight that force in the open field. It was a sound civil policy, if it could be made good as a military project, since it kept clear of the terrible process of forcing the city by storming.

The point selected for the crossing was the ford of Newburn, about five miles above Newcastle. Conway, who had with him ten thousand foot and two thousand horse, spared a force, estimated variously at from four to six thousand men, to hold the ford. They raised earthworks and mounted several cannon. The bank on their side was a flat haugh. On the Scots side it was steep, so that the English force was overlooked and in some measure commanded by the Scots. On the south side any attempt by the Scots to force a passage promised an affair in which artillery well placed and served would defy the power of numbers, for no artillery was seen in the Scots camp. Here, however, Leslie's German experience enabled him to effect a surprise. Under his direction there had been a manufacture in Edinburgh of temporary cannon. They seem to have been made of tin for the bore, with a coating of leather, all secured by tight cordage. A horse could carry two of them, and it was their merit to stand a few discharges before they came to pieces. Leslie had some of these masked among bushes

on the river-bank, others he got up the tower of Newburn church. When the Scots began to cross, and Conway's guns opened on them, to the amazement of the English they were answered by a stronger battery commanding them. The roar of artillery from a force believed to be destitute of that arm is one of those terrible surprises which tax the nerves of highly-disciplined veterans, and here it befell raw recruits. They were at once broken up into confusion, and the Scots passed over. They found no enemy to resist them except a small body of high-spirited Cavalier gentlemen, finely mounted, and armed with breastplates. These fought hard; but when the whole Scots army came over, the contest was so unequal that they were forcibly taken prisoners. It was not the policy of the Scots to shed much blood, and they made no attempt to meddle with the bulk of the English force in its retreat. The loss on the English side, even, only extended to some forty or fifty—on the Scots to about a tenth of the number. Such was the battle by which the Scots army forced the passage of the Tyne—a trifle in the bloody annals of warfare, yet so momentous that in critical interest it may well rival the famous passage of the Rubicon.

The scenery around the quiet village of Newburn is not naturally remarkable, but it has a signal interest in this, that few other battle-fields present on their surface so distinct an impression of the nature of the contest. The steep bank on the north side of the Tyne is still scrubby as it was when Leslie's light guns were masked by the bushes, and the short thick Norman tower of the village church looks as if it had been made to carry wall-pieces. Standing here, we overlook the flat haugh where the English army was uselessly fortified, as the gallery overlooks the stage of a theatre; and we see at once how fatal was the mistake when the English general supposed that the Scots had no cannon. A general survey of the river from Leslie's position shows, what inquiry will confirm, that Newburn is the nearest point to Newcastle where the Tyne could be forded by troops. The river has many sweeping loops, and at any one of

these, had the water been shallow enough, the Scots could have passed unmolested, through the well-recognised military advantage of having the inside of the curve. At Newburn the water is so shallow that in dry weather a child can take the ford, and we must conclude that it would not have been forced had any other part of the river been available.[1]

The way to Newcastle was now open—a detachment of the army had only to cross the bridge and enter the town.

In the histories inspired by the great struggle of the

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[1] The only account of the battle, so far as the author is aware, by a military man present in it, is the one given, by way of vindication of himself, by the defeated general. In saying that his soldiers were "unacquainted with the cannon," he must be held to mean that they were not aware of their existence till they opened fire :—

"The Scots having made a battery and drawn down their army, our works were provided with men to defend them, and with others to second them. Six troops of horse were placed to charge the Scots where they came over, and six or seven more were placed to second them. When the Scots forces were in readiness, and their cannon placed, our works were not proof against them ; the soldiers were unacquainted with the cannon, and therefore did not endure many shot ; those that were to second them followed their example.

"The horse charged the Scots, and drove them back into the river ; but the cannon beating through, some of our troops that were sent to second went off when they saw the place forsaken. They should have gone on the left hand, that they might have gone off with the foot ; but mistaking their direction, went on the right hand, which carried them up the hill, where they found some troops. Whilst they consulted what was best to be done, the Scots horse came up in two divisions, and with them ten thousand musketeers. The first charge was upon the regiment commanded by Lord Wilmot, who was there taken prisoner, his men forsaking him, and falling foul of some troops of the Lord Conway's regiment, disordered them ; the rest being charged, did as they saw others do before them.

"The cause of the loss that day was the disadvantage of the ground, and the slight fortification, which the shortness of the time would not afford to be better. Neither would it admit us to make any works upon the hill where we stood opposite against the Scots. And when we came to sight, the soldiers did not their parts as they ought to have done, being the most of them the meanest sort of men about London, and unacquainted with service, and forgetting to do that which they had oft been commanded and taught."—The Lord Conway's Relation concerning the Passages in the late Northern Expedition, 1640 ; Hailes's Memorials and Letters, Charles I., 102, 103.

day, the capture of Newcastle is one of those quiet affairs that call for little further notice than the transference of Edinburgh and Dumbarton into new ruling hands. But to the community of that town it was an astounding and terrible event. If there were those in England who expected to meet the Scots as friends and allies, Newcastle was not the place where these were to be found. In their traditions the Scots were men of blood and rapine. They were denounced in the civic ordinances as a race unfit to mingle with the civilised sons of trade and industry. There were men alive who in their youth could remember the families of Northumbrian farmers fleeing for their lives within the protecting walls of Newcastle, and could recall, when the panic was over, how the citizens in fearful curiosity visited the ruined grange, to see its emptied byres and stables, and the bleeding bodies of its defenders. If in the days of the flat-bottomed boats the corporation had awakened to find themselves in the hands of a French army landed at the mouth of the Tyne, the surprise and consternation could not have been greater than on that summer day, a hundred and sixty years earlier, when the town and its great coal-field were seen in the possession of the Scots invaders.

The colliers outside the town fled from their works. The citizens—all but a few who instantly escaped—had to submit to the restraints of a garrison town, and to remain at home, or absent themselves on leave and under precautions against the removal of property. A citizen, recovered from the first panic, and seeing that there is order, at all events, if not safety, gets an opportunity to write to a friend by sea, and says: "I have taken the more freedom to enlarge myself, and acquaint you with the true state of our conditions." "It is true," he says, "they have invited, and by all means endeavoured, to draw us back to our dwellings in this town, where we live together quietly enough for appearance, being in this town not troubled with their common soldiers, who are kept in their quarters in the camp. Some commanders and men of greater rank living with us in the town, we enjoy hitherto all our own goods and merchandise which we

have in possession, the money excepted, which, while the terror of the armies lay upon us, and their intentions not known, they easily persuaded us to lend upon their own security, which I assure you was the greatest part of the ready-money seen in the town, some having so much providence as to transport their estates away before."[1] Another says: "Many families gone, leaving their goods to the mercy of the Scots, who possessed themselves of such corn, cheese, beer, &c., as they found, giving the owners thereof, or some in their stead, some money in hand, and security in writing for the rest, to be paid at four or six months in money or corn; and if they refuse, said the Scots, such is the necessity of the army, that they must take it without security rather than starve."[2]

These petty details bear on the great difficulty of the army's position. It was strong enough to help itself, but that was not the policy of its leaders. However willing the Government of Scotland might be to bear a burden in the cause, the support of an army exceeding twenty thousand men on foreign soil was beyond their pecuniary ability. The problem was, how to be good neighbours with the English of the north, and yet be fed by them—in other words, how to buy from them, and pay them out of nothing.

It ended as on other like occasions, in the levying of contributions to be paid some time or other from some fund. We are told how "the mayor and aldermen of Newcastle pretends inability to pay their two hundred pound a-day. We were forced to put a guard about their town-house till we got new assurances from them. According to our declaration, we took nothing for nought, only we borrowed on good security so much money a-day as was necessary for our being, to be repaid long before our departure."[3]

The burden, as we shall afterwards find, was removed

[1] Letter from an Alderman of Newcastle, 8th September 1640; Reprints of Rare Tracts and Imprints of Ancient Manuscripts, chiefly illustrative of the History of the Northern Counties, and printed at the Press of M. A. Richardson: seven volumes—vol. i.

[2] Newcastle Reprints, i. 8. [3] Baillie's Letters, i. 262.

from the district and spread over England. Meanwhile the citizens of Newcastle had an opportunity of finding that there was some difference between this well-ordered army and the incursions of the Teviotdale and Eskdale marauders, which brought terror to the hearts of an earlier generation. As it was in the destiny of things that the Scots were soon afterwards to revisit them, the character of their present dealings with the community had doubtless its influence on their subsequent reception. King Charles on his way north had received the loyal applause of the corporation, and they proved their sincerity by the contingent they supplied to his force.[1]

Public opinion was at that juncture changing rapidly in England; and many who looked to the Scots in 1640 as invading enemies, afterwards welcomed them at their later visit as friends and allies. The situation is thus described by Baillie:—

"In the king's magazine were found good store of biscuit and cheese, and five thousand arms, musket, and pikes, and other provision. Messrs Henderson and Cant preached to a great confluence of people on the Sunday. My Lord Lothian, with his regiment, was placed to govern the town—our camp lay without. The report of this in all our pulpits did make our people sound humble and hearty thanks to the name of our God, in the confidence of whose help this work was begun, and on whose strength it does yet rely—not well knowing what to do next; for many a time from the beginning we have been at a nonplus, but God helped us over."[2] They seemed to be, indeed, carried forward on the wings of destiny. They took Durham, Tynemouth, and Shields without a struggle. News came to them that Dumbarton Castle had surrendered on the day when their army forced the passage at Newburn, and a few days later came the news that the garrison of Edinburgh Castle had been turned out in the

[1] "The town of Newcastle-upon-Tyne furnished 250 pikemen, 250 musketeers, and 350 dragoons for the king's service," a larger force than all the rest of Northumberland supplied.—Letter from a Royalist of Newcastle, introduction; Newcastle Reprints, iv.

[2] Letters, i. 257.

manner we have seen. Though it was clear to the enthusiasts who gave impulse to the enterprise that God was fighting for them, yet there was practical sense and moderation enough in that host to bid them rejoice with trembling. They immediately took to their old practice of supplicating, and never in their dangers and difficulties did they approach the throne with more submissive and deferential loyalty than in this hour of triumph. "We only implore," they say, "that we may, without farther opposition, come into your majesty's presence, for obtaining from your majesty's justice and goodness satisfaction to our just demands. We, your majesty's most humble and loyal subjects, do still insist in that submiss way of petitioning which we have keeped since the beginning, and from which no provocation of your majesty's enemies and ours, no adversity that we have before sustained, nor prosperous success can befall us, shall be able to divert our minds; most humbly entreating that your majesty would, in the depth of your royal wisdom, consider at last our pressing grievances and losses, and with the advice and consent of the Estates of the kingdom of England convened in Parliament, settle a firm and durable peace against all invasions by sea or land."

In this last sentence there was a deep and formidable meaning. It announced, and for the first time, that there was a common cause between the Scots invaders and the English Parliament, and referred to the two as two elements of force that must in the necessity of things coalesce. Without a key in the history of the times to this and other parts of the "supplication," the casual reader might take it for a timid appeal by some poor creatures who, on their peaceable and inoffensive passage to the quarter where they were to represent their griefs and sufferings, had been despitefully assailed by their enemies, and had been providentially enabled to get clear of these perils of the way, regretting at the same time that their assailants had brought on themselves some casualties. After all their sufferings, extreme necessity had constrained them, for their relief, to come into England, where they were peaceably passing through the country, harming no

one, and paying for what they needed, "till," they say, "we were pressed by strength of arms to put such forces out of the way as did, without our deserving, and—as some of them have at the point of death confessed—against their own consciences, oppose our peaceable passage at Newburn-on-Tyne, and have brought their blood upon their own heads against our purposes and desires."

The king received this document at York. He was already in the midst of a sea of troubles when his defeated troops came scattering in upon him. The victors had let it be known that they were prepared to march on to York; and as surely as they did, so would they again scatter the king's army before them. His answer to the appeal seemed to partake of the trouble and confusion of his spirit; but it sufficed for the time, since its general import was, that before striking he would listen. It was signed by the Earl of Lanark, Hamilton's brother, as Secretary of State for Scotland.[1]

The Scots sent in a paper of seven demands, not so important in their own substance as because they were a basis on which conference might be held. Perhaps the most significant of them was for protecting from the imposition of "new oaths" their compatriots in England and Ireland. The king intimated that the whole state of the case was to be laid before that great council of the peers which, following a practice which had grown obsolete, he had summoned at York. The great council recommended the holding of a treaty, to which the Scots should send representatives. The time fixed for it was the 1st of October, and the place Ripon, in Yorkshire. Eight commissioners represented Scotland. Two nobles, Dunfermline and Loudon, were already well acquainted with the ground they had to go over; two representatives of the smaller barons; two clergymen, one of them Alexander Henderson, the great preacher. The Covenant was farther represented by the great Church lawyer Warriston, and the town-clerk of Dundee represented the burghal community. These gentlemen showed how suspicious

[1] Rushworth, iii. 1255, 1256.

the Scots had become, by requesting a safe-conduct, not only under the sign-manual, but under the signatures of the assembled peers; but this being refused with something like a rebuke, they were content to drop the request.

The commissioners had ample opportunities of diving into the recesses of the quarrel in the mass of disputative documents which had accumulated round it. In addition to those already noticed, a later and fruitful crop had appeared. They are of less moment and interest, however, to the student of the present day, than those which preceded warlike action. In these we see the gradual growth of the conditions which brought on the quarrel. The later controversy is in general but tiresome comment, in the shape of attack and defence, on the events passing before the world. The most important of these was a continuation of the king's Large Declaration, with the title, "His Majesty's Declaration concerning his Proceedings with his Subjects in Scotland since the Pacification in the Camp near Berwick."[1] It has the same sort of qualified success as the old Declaration. Grant that the king was an absolute monarch, he shows that he yielded with wonderful facility to the desires of his troublesome subjects, abandoning his own better judgment to yield to their unreasonable caprices.

The Scots printed and circulated in England a paper called 'The Lawfulness of our Expedition into England manifested.' Whatever interest attached to this document has been enhanced by the discovery of a copy of it enriched with Laud's marginal notes. As they are the abrupt comments set down as he read and grew angry in reading, they probably give us his and his master's political creed more broadly and emphatically than we can find them in the deliberative announcements contained in the king's Declarations and other State Papers. The spirit of these notes cannot be better told than in the words of him who found and edited them: "Taking the notes in connection with the statements of the Scots, we have at one glance the views of both parties. Those of the arch-

[1] It will be found in Rushworth, iii. 1018, and in other places.

bishop were simple in the extreme. Politically he had but one complaint to make against the Scots. It was their 'duty' to have obeyed the king. They failed in this respect, and that failure brought on all the succeeding trouble. As applicable to the king's commands, no question of right or wrong, of reason or unreason, of legality or the contrary, seems in the slightest degree to have disturbed the equanimity of the archbishop. In his estimation the whole case turned upon one single consideration. The premises were unquestionable, and the conclusion irresistible. The Scots had not yielded 'the dutiful obedience of subjects;' they could not, therefore, be otherwise than to blame, and not less so in the sight of God than in that of their sovereign and of the archbishop."[1]

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[1] Bruce, preface to Notes of the Treaty carried on at Ripon, xl. The following specimens may be selected from the Scots manifesto and Laud's criticisms on it:—

The Manifesto.	Laud's Notes.
"As all men know and confess what is the great force of necessity, and how it doth justify actions otherwise unwarrantable, so can it not be denied that we must either seek our peace in England at this time, or lie under three heavy burthens which we are not able to bear. First, we must maintain armies on the Borders," &c.	"None of these necessary, if they would have yielded due obedience to their king."
"This we say not from fear, but from feeling; for we have already felt, to our unspeakable prejudice, what it is to maintain armies, what to want traffic, what to want administration of justice: and if the beginning of these evils be so heavy, what shall the growth and long continuance of them prove unto us?—so miserable a being all men would judge to be worse than no being."	"No growth necessary when they might have prevented the beginning by doing but their duty."
"If we consider the nature and quality of this expedition, it is defensive, and so the more justifiable. The king's majesty, misled by the craft and cruel faction of our adversaries, began this year's war—not we."	"If this were true, 'tis not defensive."
"We have laboured in long-suffering, by supplications, informations, commissions, and all other means possible, to avoid this expedition."	"Save yielding the dutiful obedience of subjects."

"When they talk of "invasions by sea which have spoiled us of

The commissioners of both kingdoms assembled, accordingly, at Ripon on the 1st of October 1640, and began business next day. There were, as there always are in such conferences, minor details of business to be adjusted at the beginning. The king, for instance, desired that some persons in his own interest should attend as "assistants;" for the English commissioners did not properly represent the Crown, but were accredited by the great council of the peers. The Scots seemed not to concern themselves with the English assistants; but they were jealous of the presence of Traquair, Morton, and Lanark, in that capacity. They were told that these attended not to vote or take part in the conference, but, as persons versant in the business of Scotland, to explain matters relating to that country which might be unintelligible to Englishmen; and some preliminary diplomacy was necessary to keep these assistants within such limits.

On the general question the Scots felt the ground consolidating, as it were, beneath their feet day by day. In every diplomatic conference there are truths behind any that appear on the smooth and tranquil face of the discussions; and the great truth behind the treaty of Ripon was, that the Scots were absolute masters of the situation.

Did they come as enemies? Then they were invaders who had conquered the north of England, and redeemed for their country that ancient district of Northumberland which the voice of tradition assigned as an old possession of the Scots crown; and in the existing condition of England there was no rational prospect that the conquest would be taken out of their hands. This great calamity had a government, by its feebleness or its folly, or by something worse than either, brought upon England; and all who befriended the Government and valued the

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our ships and goods," the commentator says, with angry astonishment, "The king invade his own!"

At one point he gets so angry as to employ a scurvy jest frequently used by the common people of England against the Scots of that day. Where they say that for the provisions of their army they either paid or gave security, he notes, "Not worth three of their lice."

honour of England must avert such a stigma at any sacrifice.[1] Did the Scots come as friends? Then to the Government they were friends by mere forced courtesy. Their real friendship was for that great Parliamentary party which was about to rise against the Government. They were conscious of the thorough amity of that party. The great voice of England was calling for a Parliament, and the Scots put in their word too for a Parliament; in fact, before the commissioners left Ripon the writs had been issued for "the Long Parliament," and it was the Scots who had procured this for their English friends.

In whatever sense the word was to be taken, they were called and were dealt with as friends. Well, if friends, they were friends who had done eminent service to England at much sacrifice to themselves. It was but fair that their friendship should be requited—that their sacrifices in the cause of their English friends should at all events be refunded. In short, the army had been embodied and marched across the Border in the service of England, therefore the expense incurred and yet to be incurred in that service must be paid by England. If not, the Scots could easily help themselves. They hinted that they would be content with the estates of the Papists and of the bishops, who were their natural enemies, and they began by taking possession of the princely domains of the see of Durham. Some abrupt notes of private conferences held among each other by the English lords might be likened to the hurried and nervous estimate of resources for the purchase of life and liberty by captives in the hands of banditti, or perhaps a more appropriate analogy would

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[1] Among some notes of what was said in the council at York—notes intended apparently to refresh the memory of the notemaker—there are some glimpses of meaning intelligible to others, and among these nearly the most distinct is a passionate burst by Strafford. It will be understood that "this army" means the English, "the other" the Scotch: "If this army dissolve and disband, the other army being, as it is, in such a posture, this country is lost in two days, and the fire will at last go to the farthest house in the street. No history can mention so great an infamy as the deserting this."—Hardwicke's State Papers, ii. 211.

be the discussions by the authorities of a beleaguered town on the best method of raising ransom-money.[1]

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[1] For instance, the following, in which it is to be understood that the reporter only sets down one or two leading words by way of memorandum of the purport of what each said :—

"The lords retire.

E. Bristoll.—They say if they cannot live in one place, they will live in another.

They will come with an army able to obtain their demands.

Not fall into particulars of lessening their army, but, by way of inducement, to offer them £20,000 a-month.

E. Burks [*Earl of Berkshire*].—To speak with Mr Treasurer, who knows the country whether they are able.

Mr Treasurer.—Those four counties and Newcastle not able to pay that sum. No trade, but only for a month about £12,000 to be raised.

They propose they will presently have money without victuals, which they cannot do.

They speak of recruiting—to bind them from recruiting, and to have a cessation of arms.

Let nothing be known to them of anything out of the counties.

E. Holland.—He supposes it is a proposition that the counties hereabout will find.

E. Burks.—Whether offer it without consulting with Yorkshire.

E. Holland.—It must be had, and therefore fit to be offered.

Lord Saville.—They will retire, and if they say they cannot accept it, whether they will offer more.

If you offer it, it must be found, and in conclusion it goes upon all the kingdom.

If they say they cannot accept it, we to propose unto them our reasons—that we are their friends, never did them wrong.

To send to Newcastle to know whether they will receive this with some of the county.

In the mean time to treat of the other heads, and us to treat with the gentlemen of the counties.

Lord Saville.—Not to let the Scots know of our treaty with the counties.

Lord Wharton.—Let it be proposed to be only out of the counties in danger.

E. Holland.—To consider, if they refuse the sum, to think what to do, considering the great danger of the kingdom ; but to give them no resolution this morning, but take into resolution to answer in the afternoon."—Bruce's Notes of the Treaty of Ripon, 33-35.

Again, on 24th October, as the meetings draw to a close :—

"The lords commissioners retire.

The gentlemen of Cumberland and Westmoreland are already prepared to come into contribution.

There was much haggling about the actual amount of money to be paid. It is not necessary that we should impute all the discussions to the mere mercenary spirit of parting with and pocketing so much coin. The Scots had further objects than taking a bribe to return home, and the furtherance of these objects was intimately connected not only with the amount to be paid to them, but the form and conditions of its payment. They asked £40,000 a-month, but this was refused. They then reduced their demand to £30,000—finally the allowance was fixed at £850 a-day. It was secured on obligations from corporations and landowners chiefly in the northern counties; but it was the hope of those who became thus liable, that Parliament would relieve them; and the prospect of the whole question coming into the hands of the new Parliament, to which the English nation looked with so much hope, was also a prospect full of stirring hope to the Scots.

Early in the sittings there was a singular incident. On the 8th of October the king desired that the treaty should be transferred to York. The reasons given were merely the "unhealthfulness" of the town of Ripon, and for "expediting" the treaty. The Scots suspected that there were other reasons. The king's army was at York, with Strafford at its head. They said: We cannot "conceave" or foresee "what danger may be apprehended in our going to York, and suffering ourselves and others who may be joined with us into the hands of an army com manded by the Lieutenant of Ireland, against whom, as a chief incendiary, according to our demands, which are the

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A letter written to those counties, and this to be shown unto the Scots commissioners.

They have already called the gentlemen of these shires—Sir Patricius Curwen, Sir George Dawson, and Sir Philip Musgrave—and are now writing a letter which my Lord Wharton read.

E. Bristoll.—To add to this, they will procure the strength of the great council of York.

They will engage themselves to endeavour all means at London with the Parliament to see it performed."—Bruce's Notes of the Treaty of Ripon, 65.

subject of the treaty itself, we intend to insist, as is expressed in our remonstrance and declarator; who hath in the Parliament of Ireland proceeded against us as traitors and rebels—the best titles his lordship in his common talk is pleased to honour us with, whose commission is to subdue and destroy us, and who by all means and at all occasions presseth the breaking up of all treaties of peace, as fearing to be excluded in the end."[1]

When the matters of the pay of the army and the pacification were adjusted, another adjournment was proposed: it was to London, whither the English lords had to go to attend the new Parliament. No proposal could have been more apt to the views and fortunes of the Scots, and it was gladly accepted.

By this adjournment the destinies of the Scots nation were virtually thrown into the great game which was to be played over the whole empire. For some years, although a few incidents of the contest were peculiar to Scotland, the history of its policy and aims has to be looked on from the centre of a greater area, comprehending the three kingdoms, as they were for some time, and the Commonwealth, as the whole afterwards became. The duties of the historian of Scotland proper are thus in some measure for a time superseded, and fall on those who undertake the history of the great civil war.

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[1] Bruce's Notes, 26.

CHAPTER LXXIII.

CHARLES I.

ADJOURNMENT OF THE TREATY TO LONDON—SCOTS COMMISSIONERS THERE — THEIR POPULARITY — THE LONG PARLIAMENT — FALL OF STRAFFORD AND LAUD — CONTESTS IN THE NORTH — MONRO IN ABERDEEN — ARGYLE'S BANDS IN THE WEST—RAVAGE THE NORTHERN LOWLANDS — THE GREAT PARLIAMENT OF 1641 — THE KING'S PRESENCE—CONSTITUTIONAL CHANGES—COMMITTEE OF ESTATES—MONTROSE AND ARGYLE—THE INCIDENT AND THE RECRIMINATIONS —MONTROSE'S CHANGE — NEWS OF THE IRISH OUTBREAK — THE SUSPICIONS AGAINST THE KING—THE USE OF THE GREAT SEAL OF SCOTLAND — THE SCOTS ARMY IN IRELAND UNDER LESLIE AND MONRO—THE MASSACRE—THE RUMOURS AND TERRORS IN SCOTLAND—THE SOLEMN LEAGUE AND COVENANT—MONTROSE'S SCHEME — GATHERS A HIGHLAND ARMY — ARGYLE AT INVERLOCHY — BATTLES OF TIBBERMUIR AND KILSYTH—HIS FORCE SCATTERED BY LESLIE AT PHILIPHAUGH.

THE Scots commissioners were one of the chief centres round which gathered the mighty excitement with which London was then seething. When they had severally taken up their abodes, mostly in the neighbourhood of Covent Garden, the city of London desired the honour of receiving them as guests. A house was assigned to them so close to the Church of St Anthony, or St Antholin, as it is popularly termed, that there was a passage communicating between the church and the house. Henderson, Blair, and Baillie gave their ministrations in that church with zeal and patience, and were repaid by popular admiration, as Clarendon says: "To hear those sermons there was so great a conflux and resort—by the citizens

out of humour and faction, by others of all qualities out of curiosity, and by some that they might the better justify the contempt they had of them—that from the first appearance of day in the morning on every Sunday, to the shutting in of the light, the church was never empty. They, especially the women, who had the happiness to get into the church in the morning (they who could not, hang upon or about the windows without, to be auditors or spectators), keeping their places till the afternoon's exercise was finished."[1]

Coming as the assured allies of the Long Parliament, they were at once to witness the downfall of their greatest enemies. The blow fell first on Strafford. He "came but on Monday to town late; on Tuesday rested; on Wednesday came to Parliament, but ere night he was caged. Intolerable pride and oppression cries to heaven for a vengeance. The Lower House closed their doors; the Speaker keeped the keys till his accusation was completed." The Ayrshire minister, whose fortune it was to see so much of history, tells how Strafford came forth into custody through the crowd "all gazing, no man capping to him, before whom that morning the greatest of England would have stood dis-covered."[2] The temptation is strong to follow the same pen in picturesque description of the impeachment; but it is a passage that belongs to a wider history, and must be forborne.

Some of the offences charged against Strafford were founded on the relations of England with Scotland; but it would seem that these were inserted rather to interest and propitiate the Scots commissioners than really to give weight to the impeachment. They are slight and rather incoherent, balancing ill with the desperate designs of tyranny and ambition, at the root of the other charges. He had called the Scots "rebels" and "traitors." He said their demands justified war—he was ready to lead an Irish force against them. Then, what seems scarcely in the same tenor, as lieutenant-general in the north, he "did not provide for the defence of the town of New-

[1] History, i. 190; ed. 1843, p. 76. [2] Baillie's Letters, i. 272.

castle as he ought to have done, but suffered the same to be lost, that so he might the more incense the English against the Scots;" and then, in another turn of inconsistency, it was said he forced his subordinate Conway to fight the Scots at Newburn with a force insufficient for resistance, "out of a malicious desire to engage the kingdoms of England and Scotland in a national and bloody war." The managers showed their sense of the weakness of the Scots items in the charge by combining them in the prosecution with some of the heavier articles, an arrangement against which the accused protested.[1]

It was encouraging and exciting, no doubt, to see one whose spirit was so inimical to theirs, and who would have crushed them if he could, hunted down before their eyes; but Laud was the proper victim to offer up to the Scots commissioners. Baillie speedily found "Episcopacy itself beginning to be cried down and a Covenant to be cried up, and the Liturgy to be scorned. The town of London and a world of men minds to present a petition, which I have seen, for the abolition of bishops, deans, and all their appurtenances. It is thought good to delay it till the Parliament have pulled down Canterbury and some prime bishops, which they mind to do so soon as the king has a little digested the bitterness of his lieutenant's censure. Huge things are here in working—the mighty hand of God be about this great work! We hope this shall be the joyful harvest of the tears that these many years have been sown in these kingdoms. All here are weary of bishops. This day a committee of ten noblemen and three of the most innocent bishops—Carlisle, Salisbury, Winchester—are appointed to cognosce by what means our pacification was broken, and who advised the king, when he had no money, to enter in war without consent of his State. We hope all shall go well above our hopes. I hope they will not neglect me. Prayer is our best help; for albeit all things goes on here above our expectation, yet how soon, if God would but wink, might

[1] State Trials, iii. 1397-1400, 1440-42.

the devil and his manifold instruments here watching turn our hopes in fear!"[1]

But in the midst of these separate triumphs the commissioners did not neglect their treaty, and the large pecuniary interests depending on it. It was contested on both sides with a harassing obstinacy, which it would be tedious to follow step by step. It came to a conclusion on the 7th of August 1641. The principal provisions of the treaty were, that the king was to admit as Acts of Parliament those of the Estates who sat in 1640 without the sanction of royalty. The "incendiaries," or "those who had been the authors and causes of the late and present combustions and troubles," were in each nation to be punished by Parliament—a demand accepted by the king, with the explanation that "his majesty believeth he hath none such about him." All libels against the king's "loyal and dutiful subjects of Scotland" were to be suppressed. When the Scots army came to be disbanded, the fortresses of Berwick and Carlisle were to be reduced to their old condition. Not least important was "the brotherly assistance" to be given by England to the Scots for their sufferings and services; this was fixed at £300,000.[2] The armies were then disbanded; and when this process was completed, the city of London held solemn rejoicings for deliverance from the war that had impended.

There comes now one of those incoherent turns in the tenor of the Court policy which make it so unsatisfactory a task to endeavour to find in it a natural unity of sequence, one political condition preceding another, as external cause precedes external effect. The king, when the harassing business of the Long Parliament had thickened round him, was to visit Scotland and hold a Parliament there. He was not to go as the offended monarch, to take stern account of those whom he had been charging as traitorous and disobedient subjects; but in a

[1] Letters, i. 274.

[2] See Report of the Treaty brought up to the Scots Estates; Act. Parl., v. 337 *et seq.*

spirit of geniality and loving-kindness, especially towards those who had most grievously offended him.

Some secondary passages in the struggle had occurred within Scotland even at the time when its larger results were looked to in the question which the Scots were to try in England. The strength of the ruling party was materially reduced by the removal of a large army into England. It was naturally in the north-east that symptoms of restlessness first appeared; and there the Committee of Estates, with prompt energy, determined to use what force they could command, to aid the Earl Marischal, and other supporters of the Covenant, who were by themselves in a minority. In May 1640 a body of about a thousand men marched into Aberdeen under the command of General Monro. He, like Leslie, had been trained in the great European war; but he was a man of inferior grade and nature, and brought with him a touch of the rapacity and cruelty that had grown up in the thirty years' teaching. He weeded the district of able-bodied Malignants by impressing them and sending them to join the army in England. In a similar policy he removed all things that might be turned to warlike purpose —not only arms, but tools adapted to sapping and mining. The garrulous Spalding renders with deplorable minuteness the various items of exaction to which his unfortunate city was again subjected.[1] Monro left behind him, as a memorial of his visit, one of those "wooden mares" which had been invented by the ingenuity of the German

[1] The baxters and brewsters to have in readiness "12,000 weight of good bisket-bread, together with 1000 gallons of ale and beer." The commander desired that the citizens, "in testimony of their *bon accord* with the Soldatista that has come so far a march for their safeties from the invasion of foreign enemies, and the slavery they or their posterity may be brought under, they may be pleased, out of their generosity accustomed, and present thankfulness to the Soldatista for keeping good order and eschewing of plundering, to provide for them 1200 pair of shoes, together with 3000 ells of harden ticking or sail canvas, for making of tents to save the Soldatista from great inundation of rains accustomed to fall out under this northern climate."—Spalding's Memorials, i. 275.

marauders as an instrument of torture at once simple and effective.

Monro having paid visits of the same character to the country districts afflicted with Malignancy, removed his force. A very small body stationed in permanence, with casual visits from auxiliaries, might now keep the troublesome district of the north-east in due order; but the soldiers themselves were sufferers by the general poverty they had created.[1] If the army sent to England was honourably distinguished for piety and decorum, the Government had now come down to the dregs of their available forces. Of the performances of the Covenanting troops occasionally posted in Aberdeen, we hear from the commissary-clerk of "daily deboshing" and "drinking," "night-walking, combating, swearing, and bringing sundry honest women-servants to great misery." It was the hard fate of these unfortunates, that after they had become the victims of the profligacy of the Covenanting soldiery, they came under the rigid discipline of the Covenanting clergy for the expiation of their frailties.[2]

In other parts of the country the Malignants were chastised by a rod of a different kind. The prospect of an invasion by an army of the wild Irish, sent by Strafford, gave occasion for guarding the west coast. It fell to the two chief potentates of the district, Eglinton and Argyle, to command the troops embodied for that purpose, who were chiefly, if not entirely, their own vassals

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[1] So the Lord Sinclair, coming with a party of five hundred, "his allowances was spent, and the soldiers put to their shifts. Aberdeen would grant them no quarters, since the Colonel Master of Forbes's regiment was already quartered there. Whereupon ilk soldier began to deal and do for himself. Some came over to the old town, where they got nothing but hunger and cauld. Others spread through the country here and there about the town, specially to Papist's lands, plundering their food, both horse-meat and man's meat, where they could get it."—Spalding's Memorials, i. 352.

[2] "Sixty-five of this honest sisterhood were delated before the Church courts; twelve of them, after being paraded through the streets by the hangman, were banished from the burgh. Several were imprisoned in a loathsome vault, while others more fortunate found safety in flight."—Book of Bon Accord, 68.

or followers. Of Eglinton, who kept a force ready in the Ayrshire Lowlands, we hear nothing; but Argyle, having a force so conveniently in hand for which there was no immediate work, took the occasion to harry the territories of his feudal and political enemies.

The warrant on which he acted was that savage writ so aptly named "a commission of fire and sword." It was issued by the Committee of Estates. It set forth how "the Earl of Athole and the Lord Ogilvie, with their accomplices"—the Farquharsons on the Braes of Mar, and the inhabitants of Badenoch, Lochaber, and Rannoch—had "not only proven enemies to religion, but also had proven unnatural to their country." Therefore it was meet that Argyle should "pursue them, and every one of them, in all hostile manner by fire and sword, aye and until he should either bring them to their bounden duty, and give assurance of the same by pledges or otherwise, or else to the utter subduing and rooting them out of the country." To this end he raised four thousand men.[1] He swept the mountain district lying between his own territories and the east coast, and came down upon the half-Highland districts of the Braes of Angus, where he attacked the Ogilvies in their strongholds. It appears to have been in this expedition that the Castle of Airlie was burned—an incident giving rise to one of the most stirring of the Scots ballads of the heroic type. We have little knowledge of the actual events of this raid, except from the two northern annalists, who were no friends of Argyle and his cause.[2]

In all such affairs there was limitless plunder, destruction, and bloodshed. The northern authorities, however, are surely to be doubted when they say that subordinates desired to spare, but the leader was obdurate.[3] Whatever

[1] Act of Ratification and Exoneration in favours of the Earl of Argyle; Act. Parl., v. 398.

[2] Gordon's Scots Affairs, iii. 165; Spalding's Memorials, i. 291.

[3] The following passage deserves attention, as attesting the bitterness of spirit in the age when one whom many adored as a saint and martyr could be so spoken of. Argyle had sent one of his followers called Sergeant Campbell to attack Craigie, the house of Lord John

of the destructive might be found in the leaders of such Highland hosts, mercy and moderation were not among the qualities of the followers. However it came, there must have been things done on this expedition for which Argyle did not feel quite at ease, since he sought an indemnity from that Parliament in which his influence was supreme. Had his castigation been limited to the Highlanders, he need have felt no misgiving. "Some Highland limmers—broken out of Lochaber, Clangregor, out of Athole, Brae of Mar, and divers other places"—had just been at their old work, reiving the lands of loyal friends of the Covenant; and whoever could extirpate them was welcome to the task, and deserved thanks.[1] But the Lowland Ogilvies were within the pale of the law, such as it was. Some of the Acts, from the consequences of which the indemnity protects him, are broad and strong enough to cover much mischief, thus—for attacking towers, fortalices, and other houses, "or demolishing of the same to the ground, or burning of the same, or putting of fire thereintil, or otherwise sacking and destroying of the same howsoever, or for putting of whatsoever person or persons to torture or question, or putting of any person or persons to death, at any time the said eighteenth day of June and the said second day of August thereafter; and declares these presents to be ane sufficient warrant to all and whatsoever judges, civil or criminal, for exonering and

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Ogilvie. The sergeant returned, saying there was a sick woman in the house, and it was not a place of strength, "and therefore he conceived it fell not within his order to cast it down. Argyle fell in some chaffe with the sergeant, telling him that it was his part to have obeyed his orders; and instantly commanded him back again, and caused him deface and spoil the house. At the sergeant's parting with him, Argyle was remarked by such as were near for to have turned away from Sergeant Campbell with some disdain, repeating the Latin political maxim, *Abscindantur qui nos perturbant* —a maxim which many thought that he practised accurately, which he did upon the account of the proverb consequential thereunto, and which is the reason of the former, which Argyle was remarked to have likewise often in his mouth as a choice aphorism, and well observed by statesmen, *Quod mortui non mordent.*"—Gordon's Scots Affairs, iii. 166.

[1] Spalding's Memorials, i. 291.

assoyling the said Earl of Argyle and all and whatsomever his colonels, captains, commanders, and whole body of the army, and to their servants, men, boys, and followers in the said army during the space foresaid." [1]

These affairs were over before the king's arrival. He had left behind him gloom, discord, and apprehension. In the vast incongruous city, from the leaders of the Government down to the London 'prentices, every face was hostile. He left there the dead body of that stern, faithful minister of his will, who for that very stern fidelity was put to death. Was he to find a bright contrast to all this in Scotland? On the surface it was so. Thorough tranquillity seemed to reign. The chance of war with England had passed—the intestine broils were at an end for the time. In the almost poetic words of the Estates, there was "a quiet, calm, and comfortable peace" over the land.[2]

Queen Henrietta told that she had good news from her husband at last. He "writes me word he has been very well received in Scotland; and that both the army and the people have showed a great joy to see the king —and such that they say was never seen before—pray God it may continue." [3]

He was to meet the Estates, not in the old sordid building where he had left them nine years ago, but in the great new hall worthy to receive the assembled powers of a great nation. There was to be none of the frowning by the king, and muttered grumbling of the Estates, which had announced the coming storm in that last Parliament. All swept onwards with a current as of unanimity and harmony. But in reality these bright aspects were due to the utter isolation and helplessness of the poor king. The Estates carried all before them with a force so irresistible that, while driven before them, he appeared to lead them. There was throughout all their transactions an exuberant

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[1] Acts of Parl. (revised edition), v. 399. The document is long and elaborately technical.

[2] Acts of Parl., v. 341.

[3] The queen to Sir Edward Nicholas; Evelyn's Memoirs, v. 4.

expression of loyalty and worship. Every one of those statutes which he would have resisted had there been any hope in resistance, began with the words "our sovereign lord," the part performed by the Estates modestly following as subordinate and supplementary. Things done which it must have cost him unutterable bitterness to witness in his helplessness, are what "his majesty was graciously pleased" to do upon the "humble remonstrance" or "humble supplication" of the Estates.

The farce of co-operation and harmonious action was played throughout by all the actors with great success. The king, in his speech from the throne, expressed his regret for the unlucky differences, now happily at an end, by which the land had been distracted. "The end," he said, "of my coming is shortly this—to perfect whatsoever I have promised, and withal to quiet those distractions which have and may fall out amongst you: and this I mind not superficially, but fully and cheerfully to do; for I assure you that I can do nothing with more cheerfulness than to give my people content and general satisfaction." Burleigh, the president, in name of the House, "made a pretty speech to his majesty of thanks for all the former demonstrations of his goodness;" and Argyle followed with "a short and pithy harangue, comparing this kingdom to a ship tossed in a tempestuous sea these years bypast; and seeing his majesty had, like a skilful pilot, in the times of most danger, stirred her through so many rocks and shoals to safe anchor, he did humbly entreat his majesty that now he would not leave her—since that for her safety he had given way to cast off some of the naughtiest baggage to lighten her—but be graciously pleased to settle her in her secure station and harbour again."[1]

In the British empire of the present day, when there comes a telling majority in the House of Commons against ministers, there is an inversion of the political conditions. There was now a like phenomenon in Scotland, but of a more convulsive character. The men who were to come

[1] Balfour's Annals, iii. 42.

into power had not merely voted against his majesty's advisers, but had been at war with his army. Leslie was created Earl of Leven, and largely endowed. The Earl of Argyle became Marquis. Loudon, recently released from the Tower, was made Chancellor. The Court of Session was recast, to admit friends of the Covenant, with Johnston of Warriston among them; and generally the men intrusted with any fragment of political power were selected from those who were counted safe men by the party which had now been for three years supreme in Scotland.

Bacon, who admired "the excellent brevity" of the old Scots Acts, did not live to see the work of this Parliament. Even the prolific legislation of our present sessions, which cause so much ridicule and grumbling, is not only anticipated but exceeded, if we take the number of Acts passed, and the variety of matters disposed of by them. The session began on the 13th of May and ended on the 7th of November; but even had it lasted a whole year, there might have been a good account for every day, since the last Act is the three hundred and sixty-fifth in number. It must not be supposed that each one of these was a piece of legislation like a modern Act of Parliament. There were among them inquiries into criminal charges or rumours, adjustments of title or precedence, of privileges, of social usages, and the like. It would be difficult, indeed, to name any class of public business not to be found in the records of that Parliament. It seemed, indeed, as if the Estates were jealous or afraid of any institution of the State acting separately and in its own place. The business was done, no doubt, by the officers of the Crown; but it had to be done in the presence of the States, and to be completed by their vote.

In England much of this work would be called a direct usurpation of the prerogative of the Crown and the functions of the established courts of justice. In Scotland it could not be so simply and distinctly characterised. The Scots Estates had always claimed the right of supremacy, not only in legislation, but in the judicial and executive departments. When in a country with a mixed govern-

ment the public business enlarges with increased wealth and civilisation, the additions made to such business will fall into the hands of that element in the government which is the strongest. Many of the powers appropriated by this Parliament had been exercised by the Crown at least since the Union of 1603; but it is not so clear that they were the exclusive possession of the Crown in earlier days. The Crown, tampering with the selection and powers of committees, had made the Lords of the Articles supreme, and had almost achieved the appointment of them. All the business of the Estates was transacted by them; and it was coming to the point that when they were appointed the Estates at large had nothing further to do but to meet once, and either pass or reject the measures brought to maturity by the Lords of the Articles. The Estates at their previous session took the opportunity of recasting the constitution of this powerful committee. Each Estate was to choose its own representative on the Articles, and the whole body were only to do such work as was assigned to them by the Estates at large.[1] The profuse business transacted in the Parliament of 1641 seems to have been worked through open committees—that is to say, certain groups of members were named as responsible for bringing the business to maturity; but any other members might attend their meetings, either to keep a watch on what they did or to offer suggestions. There was a committee to "revise all articles" presented during the session, but merely that those chosen from each Estate "may give account thereof to their own body."[2] An Act of "pacification and oblivion" was passed, declaring, in a style not usual in Acts of Parliament, that "such things as have fallen forth in these tumultuous times, while laws were silent, whether prejudicial to his majesty's honour and authority, or to the laws and liberties of the Church and kingdom, or the particular interest of the subject, which to examine in a strict court of justice might prove ane hindrance to a perfect peace, might be buried in perpetual oblivion."[3]

[1] Acts of Parl., v. 278. [2] Ibid., 333, 334. [3] Ibid., 341.

Criminals and "broken men" in the Highlands were, as usual, excepted from the indemnity; and it was provided that its benefit "shall no ways be extended to any of the Scottish prelates, or to John Earl of Traquair, Sir Robert Spottiswood, Sir John Hay, and Master Walter Balcanquall, cited and pursued as incendiaries betwixt the kingdoms and betwixt the king and his people."[1] It may be remembered that Balcanquall's crime was the literary assistance rendered by him to the king in the composition of his Declaration. These four, along with Maxwell, Bishop of Ross, were then undergoing harassing treatment as "incendiaries."

One of the points which the Estates had determined to carry was the appointment by themselves of all public officers. The Secret Council and the Court of Session were recast, the appointments being made in two separate Acts.[2] In a general Act applicable to Government offices at large, the king's power of appointment is treated with all reverence; but at the same time it is to be exercised in each instance "with the advice and approbation" of the Estates.[3] One can see under the decorous surface of the Parliamentary proceedings, especially with the aid of a diary of the sittings kept by the Lord Lyon, that these concessions were extracted from the king by sheer force attended by many a bitter pang. He had struggled for the retention of the Crown patronage when its removal was first suggested at the treaty of Ripon; and the words in which he gave his reasons for acquiescence, when the demand was put for the last time, and was not to be resisted, are a sorry attempt to express contentment and approval: "His majesty's answer was, that since by their answer to his doubts proposed on Monday, they manifestly show to every one—as well believed by him—that to their knowledge they would never derogate to anything from his just power, and that the chief ground of their demand was upon the just sense they had of his necessary absence from this country, which otherwise but for the supplying of that want they would forbear to press,—there-

[1] Acts of Parl., v. 342. [2] Ibid., v. 388, 389. [3] Ibid., 354.

fore, not to delay more time, his answer was briefly that he accepted that paper."[1]

If by these Acts the Estates took more power than they ever had under the separate kings of Scotland, the national jealousy of English influence must be remembered. Four years had not elapsed since William Laud, Archbishop of Canterbury, was the ruler of Scotland, in so far as to control those large policies in which the vital interests and aspirations of the people centred. There were, indeed, members of the Estates who at that very time were ransacking the public documents, and discovering evidence of his mischievous tampering with the Scots national affairs—evidence collected for the completion of the charges on which the hapless intermeddler was brought to the block. One sees in the inner life of the history of that period how closely all that was done in Scotland was watched from England; and it is impossible to avoid the conclusion, that these Acts of the Scots Estates were in the minds of the commoners of England when they superseded the regal executive, and ruled through the authority of Parliament.[2]

But even the superficial harmony which clothed this Parliament did not abide with it throughout: and when

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[1] Balfour's Annals, iii. 64.

[2] The king's faithful servant, Sir Edward Nicholas, writing to him on the influence of these affairs on England, says, on 24th September: "Your majesty may be pleased to procure from the Parliament there some farther reiteration of their declaration, that what your majesty hath consented unto concerning the election of officers there may not be drawn into example to your majesty's prejudice here; for, if I am not misinformed, there will be some attempt to procure the like Act here concerning officers, before the Act of tonnage and poundage will be passed to your majesty for life."—Evelyn's Correspondence, v. 35. Again, on 5th October: "It is advertised from Edinburgh that your majesty hath nominated the Lord Lothian [Loudon] to be Chancellor. Whatsoever the news be that is come hither amongst the party of the protesters, they are observed to be here of late very jocund and cheerful: and it is conceived to arise from some advertisements out of Scotland, from whose actions and successes they intend, as I hear, to take a pattern for their proceedings here at their next meeting." On the margin of this the king puts the ominous comment: "I believe, before all be done, that they will not have such great cause of joy."—Ibid., 41.

the Estates separated, it was in strife and with forebodings of a stormy future. There had been gathering among the leaders of the Covenanters certain suspicions, coloured by a vague fear, that they had enemies within their own camp. These suspicions pointed at last with precision to Montrose, the Lord Napier, and Stirling of Keir. All executive steps by that Parliament were taken not only in his majesty's name, but through his majesty's proper officers of State. His Lord Advocate, Sir Thomas Hope, was on the 24th of July directed to take steps against the suspected men, and they were committed to the castle.[1] Besides a certain letter written by Montrose to the king, the offence laid against the three collectively was ostensibly nothing more than the furtherance of a document called 'The Cumbernauld Band.' This is a short document of general words and protestations; and these are all in support of the Covenant, "which we have so solemnly sworn and already signed." But this supplemental covenant referred, as the cause of its existence, to "the particular and direct practising of a few" as thwarting the cause of the original Covenant. Something was meant here; for practical men like the adherents to the Cumbernauld Band do not sign and then carefully keep out of sight empty declarations of sentiment intending to bear no fruit; and the Estates applied to the occasion the rule adopted by the Tables, that none of the adherents of the Covenant should make separate combinations with each other.

Baillie saw so much perilous matter in the affair that he was constrained to call it "the damnable band." At the time there was no getting beyond mere suspicion, but

[1] Of necessity a prosecution by the king's advocate against persons charged with conniving treason along with his majesty, was something so novel that it demanded novelty in the formalities. The Estates embodied their instruction in an "Act and warrant" addressed to the Lord Advocate, Sir Thomas Nicolson, and the "procurators," or solicitors chosen for the occasion, "to draw up the said summons, and to insist in consulting and pleading in the said process and hail proceedings thereof to the final end of the same."—Acts of Parl. (reschinded), v. 316.

we now know that Montrose had gone over to the king's party. It was said that he had gone to the king at that time when the king desired a personal meeting with fourteen Scots leaders, and that his Covenanting virtue had yielded to the royal smile. It has been proved that in the autumn or winter of 1639 he was in correspondence with the king.[1] What we have of his writing does not contain any offer by Montrose to betray the cause for which he professed a high enthusiasm, but at the same time it does not tell or hint that the writer is incorruptible. And a correspondence between the head of one party in a war and the leader in the opposite camp is a phenomenon that does not exist without an object. Burnet, in one of his morsels of picturesque gossip, tells us, that before the treaty of Ripon, when the Scots had despatches to send to the king's Court at York—and such things were always vigilantly examined before they were sent away—Sir Richard Graham opening one of these packets, a letter fell from it. Sir James Mercer, at whose feet the letter fell, in politeness picked it up, and by the glance he got while restoring it, observed that it was addressed to the king in the handwriting of Montrose.[2] Montrose was arraigned on a charge of corresponding with the enemy, but extricated himself cleverly by demanding if his accusers were prepared, contrary to all their announcements of loyalty, to count the king their enemy.

There is scarcely anything to be gained by attempting to trace too closely the motives on which a man has changed sides. He would often find it hard to discover them himself. There were things in his career that may have soured his spirit towards his coadjutors. James Graham, Earl of Montrose, was twenty-five years old when he let loose his vehement zeal for the Covenant in 1637. He led with success the parties sent by the Covenanters to intimidate the north. His rank, and probably his military capacity, were sufficient to get him these small commands; and he had the sagacious Leslie to help him with

[1] Napier's Memoirs of the Marquis of Montrose (1856), i. 227, 228.
[2] Memoirs of Duke of Hamilton, 179.

military experience. In so serious an affair, however, as the invasion of England, the Tables wisely decided against all patrician claims, and would trust their fine army to no one but a trained and successful soldier. A young man ardent and inexperienced, was not the one to be intrusted with such a command. He saw his subordinate set over him, and he was not one of the temper to take any slight with dutiful humility. Then he was in bad blood with Argyle, and there were counter-charges between them. Montrose or his friends charged on Argyle how he had uttered words importing that kings were of no use, and King Charles might be deposed—the inference being, that he himself would in some way virtually fill the empty throne. No doubt Argyle was an ambitious man, and inscrutable in his projects and policy. It would be hard to say what visions would in a time of contest and confusion dawn on him who commanded the largest following in Scotland. His territory was almost identically the same with that of the race whose rule had afterwards spread all over the country. But Scotland was not then, or ever during the civil wars, in a humour to depose the king. In the words of one who gave well-penned counsel to the king at the time—believed by some to have been Montrose himself: "They have no other end but to preserve their religion in purity and their liberties entire. That they intend the overthrow of monarchical government is a calumny. They are capable of no other, for many and great reasons; and ere they will admit another than your majesty, and after you your son and nearest of posterity, to sit on that throne, many thousands of them will spend their dearest blood. You are not like a tree lately planted which oweth the fall to the first wind. Your ancestors have governed there, without interruption of race, two thousand years or thereabout, and taken such deep root as it can never be plucked up by any but yourselves."[1]

Driving King Charles from the throne of Scotland was a plot for which there were no materials, whether it were

[1] Napier's Memorials of Montrose and his Time, i. 268.

devised by Argyle or any other person. The talk about it seems to have come from Argyle's maintaining, as others did, that the Acts of the Estates in their session of 1640 were valid law, without the royal assent, either by the presence of a commissioner or the king's acknowledgment of the Acts. There was enough of reality in the charges and counter-charges to bring one poor man to his death. A certain Captain James Stewart bore witness to the uttering of the treasonable words by Argyle, and afterwards retracted his testimony. On the fact that he had made the false charge, he was brought to trial for "leasing-making," convicted, and executed. The law for this cruel sentence was the same that had been stretched for the conviction of Lord Balmerinoch, one of the first aggressions of the prerogative by the ministers of King Charles. Its character was now subject to a cross-testing, since the powers of the king's prerogative had fallen into the hands of those who were the king's opponents. The leasing-making of the old Acts was in spreading rumours that might cause discord between the king and his subjects; and it might either be in circulating false charges against the king, or bringing to him false charges against any of his subjects;—this was the shape in which the accusation visited Stewart.

The execution of Stewart would have passed as the necessary sacrifice of an insignificant person who had brought on his fate by excess of zeal, and probably the excitement about the counter-accusation would soon have worn itself out, but for an auxiliary incident. This came when, one day in October, all Edinburgh was awakened to lively excitement by the rumour that there was a plot for either kidnapping or murdering Hamilton, Argyle, and Hamilton's brother, the Lord Lanark; and that they had all fled for personal safety. There was a Parliamentary investigation into the matter, but all that it has left for inquirers in the present day is chaotic contradiction and confusion. It is one of the investigations which, for some reason or other, was either wrecked or so steered as to reach no conclusion. The fragmentary notices of the debates on this affair, which received both in Parliament

and history the name of "the Incident," are incoherent and at the same time temptingly suggestive.[1]

Taking up the matter in meeting after meeting of the whole House, the Estates seem to have lost all hold on order and the forms of business—a fate likely to befall a representative assembly which had just recast itself, and adopted new powers and methods of transacting business. The king seems to have been carried off in the torrent of debate; and we find him in strange attitudes—at one time demanding things which appear not to be conceded to him; at another pleading his innocence, as if he were arraigned on suspicion before some popular tribunal. On one point there is a clear debate between two opposites; but though clear, it is in so shallow a part of the whole affair as to afford no valuable revelation. This is on the question whether the investigation that must be made should be undertaken by the whole House, or referred to a committee sitting with closed doors. The king at once emphatically spoke for open inquiry by the whole House.[2] As the discussion went on he continued passionately to demand an inquiry by the whole House; he said "he behoved still to urge that which he would not delay to any of his subjects, which was a public, exact, and speedy trial."[3] The expression was an apt one, for it is visible through all the confused debate that the king felt himself to be virtually on his trial. The Chancellor had visited the fugitives. He said "he had humbly on his knees

[1] See Balfour's Annals, iii. 94 *et seq.* "A relation of the Incident by Lord Lanerick;" Hardwicke's State Papers, ii. 299.

[2] The discussion brought out this curious dialogue :—

"Sir Thomas Hope said : 'In such a business the most secret way was the best way; and yet both ways were legal, and the Parliament had it in their power which of the two ways, either public or private, to do it—but for secret and exact trial the private way was undoubtedly the best way.'

"His majesty answered : 'If men were so charitable as not to believe false rumours, Sir Thomas, I would be of your mind; but however the matter go, I must see myself get fair play.' He added that he protested that if it came to a committee, that neither his honour nor these interested could have right, *Nam aliquid semper adherebit.*" —Balfour's Annals, iii. 107.

[3] Ibid., 108.

begged his majesty's leave to go to them. He said that he had been with them, and they humbly besought each member of the House to rest assured that they would sacrifice their lives and fortunes for his majesty's honour and the peace of the country.

"His majesty said, By God! the Parliament and they too behoved to clear his honour."[1]

Then, in another irritable outburst, "his majesty said that if it had not been published at first, but they had come and demanded justice, then he should have accorded to a private way. But, as my lord duke had said, rather or it be not tried, he should wish—if there were a private way of hell, he said—with reverence he spoke it—let it be used. But if they would show him that the private way was freer of scandal than the public, he would then be of their mind."[2]

On another point there was a difference of opinion. It was moved that the fugitives should be requested to return to their places in Parliament, "since the House had seen that they had very good reason to absent themselves for a time for avoiding of tumult."

"His majesty answered that he wished they were here, and he hoped they would return; but he would never assent that the House should make any such order, and that for divers reasons best known to himself, which he should be loath to express in public." On both points the king was overruled.

Hence the resolution carried was that the inquiry be made by a committee.

From the brief abrupt notes that have come down to us, one cannot decide whether the Estates had good reason against an open inquiry at the beginning, nor can we see exactly to what point the evidence taken by their committee tended.[3]

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[1] Balfour's Annals, 112. [2] Ibid., 115.

[3] See notes of the "Depositions;" Balfour, ii. 121 *et seq.* They are mere memoranda. Baillie gives an account of the examination still more indistinct, as he could only give it from rumour. He begins by saying, "At once there broke out ane noise of one of the most wicked plots that has been heard of, that put us all for some days in a mighty fear."—Letters, i. 391.

We trace the committee's inquiries, however, to one distinct point, where they stopped and put a powerful pressure on the king. Through all becoming terms of reverence and loyalty for his majesty, in which the Covenanting politicians might have become perfect by practice, what they virtually say is—You must show us that last letter you had from Montrose, or abide the consequences of refusal. The letter was produced. There was a passage in this letter to the effect "that he would particularly acquaint his majesty with a business which not only did concern his honour in a high degree, but the standing and falling of his crown likewise."[1] The committee required that Montrose himself should explain these words. He referred to some previous explanation which has not been seen, and he "further declared that thereby he neither did intend, neither could or would he wrong any particular person quhatsomever." "This being read," as the Lord Lyon informs us, "under Montrose's hand to the House, it did not give them satisfaction." Nor, indeed, did anything else in this inquiry; for when they had got distinct testimony "anent the apprehending the Marquis and Argyle, and sending them to the king's ship or else stabbing them," yet all becomes clouded with doubts and contradictions, and it is too late now to attempt to clear up what was uncertain to the committee.[2] If we could content ourselves with Clarendon's account, it would enlighten us with a startling and terrible clearness: "From the time that Argyle declared himself against the king, which was immediately after the first pacification, Montrose appeared with less vigour for the Covenant; and had, by underhand and secret insinuations, made proffer of his services to the king. But now, after his majesty's arrival in Scotland, by the introduction of Mr William Murray of the bedchamber, he came privately to the king, and informed him of many particulars from the beginning of the rebellion, and "that the Marquis of Hamilton was no less faulty and false towards his majesty than Argyle; and offered to

[1] Balfour's Annals, iii. 132.

[2] Ibid., 130 *et seq.*

make proof of all in the Parliament, but rather desired to kill them both, which he frankly undertook to do. But the king, abhorring that expedient, though for his own security, advised that the proofs might be prepared for the Parliament." [1]

An attempt was made to discredit this statement of Clarendon's by a plea of *alibi*, since Montrose was under restraint during the king's visit to Scotland; but when great people are involved in deep plots, such and much greater obstacles have to be overcome. That Clarendon did not tell the story casually or negligently is clear from the context, which shows that it was a pretext for a measure of precaution in England. There was a committee from the English Houses in attendance on the king in Scotland, who sent "a dark and perplexed account" of the Incident to their friends in England. Next morning, "Mr Hyde" —that is, the historian himself—"walking in Westminster Hall with the Earl of Holland and the Earl of Essex, both the earls seemed wonderfully concerned at it, and to believe that other men were in danger of the like assaults." Hyde made light of the matter, so far as they in England were concerned; but on the letter from the commissioners being read to the Commons, they passed a resolution to apply to Lord Essex, as commander of the forces south of the Trent, for a guard to protect the members of both Houses.[2]

One more item of intelligence, before passing from this mystery, is the statement of Lanark, one of the three fugitives. Colonel Hume came to him, and said "he was informed there was a plot that same night to cut the throats both of Argyle, my brother, and myself. The manner of the doing of it was discovered to him by one Captain Stewart, who should have been an actor in it, and

[1] Edition 1826, ii. 17. Ed. 1843, 119. Clarendon himself wrote some things which the politic decorum of the Clarendon Press would not permit it to print. The words "to kill them both" are among the suppressed passages restored in the edition of 1826. The words superseding these in the old edition were, "to have them both made away."

[2] Clarendon, edition 1826, ii. 17.

should have been done in the king's withdrawing-chamber, where we three should have been called in, as to speak with his majesty about some Parliament business; and that immediately two lords should have entered at a door which answers from the garden with some two hundred or three hundred men, where they should either have killed us or carried us aboard a ship of his majesty's which then lay in the road."[1] With these imperfect lights resting on it, the Incident must be left behind. It might not have demanded the interest it has obtained but for its unfortunate resemblance to other events peculiar as features in British history to that reign—such as the call for the attendance of the fourteen Scots statesmen which they were afraid to obey, the attempt on Hull, the panic of the city of London from the army plot, and the attempt to seize the five members.[2] In all of these the perplexity of the historian who meddles with their perilous confusions is a faint reflection of that gloom and mystery, attended by solid terror, falling on those who stood near to the influence of such events. For whatever may have been the amount of the real danger, it is certain that a heavy cloud of terror, fed by many rumours, hung over Edinburgh while the Estates were dealing with the Incident. The Parliament was to be invaded—the castle to be regarrisoned—obnoxious members of the Parliament and the Assemblies tried by military tribunals—Borderers and Highlanders were to be brought into the city, and at any hour it might be at the mercy of the ten thousand Irish placed under Tyrone.

But the concluding scenes of the inquiry into the Incident were overshadowed by another and far more awful mystery. Scotland was that division of the empire which it least concerned; yet it comes up at this point, because the king, whose name was compromised in it, heard of it

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[1] Hardwicke's State Papers, ii. 301.

[2] Perhaps by united industry and genius a "monogram" on the Incident might be written, like Mr Forster's book on the five members. It gives two volumes octavo to two days' work; but the track of inquiry is followed with so much skill and picturesque minuteness as to create a wonderful interest.

while sojourning in Scotland, and addressed the Scots Estates about it before he met the Parliament of England.

His words were thus noted down: "His majesty said that he was to begin at this time with a business of great importance, and whether it was of more or less importance as yet he could not tell, only two or three good and faithful subjects had written to him. Only amongst others he took out a letter from Lord Chichester, which he commanded the clerk to read to the House, showing the Irish had leapen out in Ireland in open rebellion, and that many of the Papists there had joined to them, taken some forts, as that of Dungannon, seized one magazine of his, and taken the Lord Sheffield prisoner. He admitted that he thought good to advertise the House of this, that if it proved but a small revolt, then he hoped there was little need of any supply from this; but if it proved a great one, he did put no question but they that were his own would have an especial care he were not wronged—for it was best *principiis obstare*." At his desire the Estates selected a committee of nine—three from each—"to advise the best course for the present to be taken in this business." [1]

Such were the first words in which the king publicly dealt with that terrible event, the outbreak and massacre in Ireland. In the matter of mere bloodshed, this tragedy has left a broader stain on history than the Sicilian Vespers or even the night of St Bartholomew. It had more likeness to what we hear of the destroying march of Attila the Hun, than to anything in modern European history. Though the king was by some believed to be guilty in the matter, it was not for the actual outbreak and the murders, but for separate acts which gave opportunity for them. Indeed, the very horrors of the scene, and the utter disbelief that the king could have authorised them, has disturbed and perplexed the secondary inquiry, how far he was guilty of acts which gave occasion to the outbreak.

To understand the gravity of any such imputation, we must look at an unpleasant peculiarity in the social con-

[1] Balfour's Annals, iii. 120.

dition of the times. The European system of diplomacy, and the law of nations, including the courtesies of peace and war, are a relic of the Roman empire which it has ever been difficult to carry beyond the bounds of civilised Europe. It was a rule under which men would abstain from striking when they could strike, seeing there was no superior power to control them; and Oriental communities could not understand how this could be. In this part of Europe the Celt was excluded from these privileges of the law of peace and war. Like the Roman slave, justice and mercy might in some measure be claimed for him by some other person who had an interest in him, but he could claim nothing for himself. The regular clans, whose chiefs gave substantial security for the good behaviour of their followers, became thus entitled, while that good behaviour lasted, to some consideration. But the "broken Hielandmen" might be hunted and extirpated like wolves. The Irish Celtic population was too large to be so systematically dealt with by such vicarious responsibility; but, on the other hand, the Saxon population was so small that it was generally glad to protect itself within the Pale. It was not so much that the native races were denounced by law, as that there was no law for them. We learn their treatment in that statute which warns Englishmen to shave the upper lip, otherwise they run the risk of being treated like the Irish.

If any vindication of such a policy were worth tendering, it was that the Irish themselves were cruel and treacherous, and neither severity nor kindness would bring them to respect the courtesies of nations. Whether it were the converse of this, and that the treatment of the Irish by their invaders made them what they were, or that both depravities aggravated each other by action and counteraction, are questions which it is fortunately unnecessary here to solve. It is, however, a scandal to civilisation, that the treacheries and cruelties caused by such conditions have in various parts of the world been more numerous and more conspicuously committed by the civilised man than by the savage. There is a simple reason for this—the savage is not trusted by his neighbours of any

kind. The civilised man keeps faith with his fellow, and becomes trusted. Hence character gives him opportunities which the other has not. A higher civilisation has now been reached—that which keeps faith even with the treacherous. We had not learned this in the days of Clive, and it has taken all the powerful schooling of our acquisition and retention of our great Indian empire to teach it to our statesmen.

Sir James Turner, a soldier of fortune, well seasoned to hardness and ferocity in the Thirty Years' War, yet carried away from that ordeal enough of human feeling to shudder at the work in which he was expected to bear a hand in Ireland. "The wild Irish," he says, "did not only massacre all whom they could overmaster, but burnt towns, villages, castles, churches, and all habitable houses, endeavouring to reduce, as far as their power could reach, all to a confused chaos." His first experience on the other side was in a skirmish with some rebels in the "woods of Kilwarning," "who, after a short dispute, fled; those who were taken got but bad quarter, being all shot dead." The next feat was the siege of Newry, rendered "with a very ill-made accord, or a very ill-kept one; for the next day most of them, with many merchants and tradesmen of the town who had not been in the castle, were carried to the bridge and butchered to death—some by shooting, some by hanging, and some by drowning—without any legal process." And on such scenes the *ritter* of the Thirty Years' War soliloquises: "This was too much used by both English and Scots all along in that war—a thing inhuman and disavowable, for the cruelty of one enemy cannot excuse the inhumanity of another. And herein also their revenge overmastered their discretion, which should have taught them to save the lives of those they took, that the rebels might do the like to their prisoners."[1] Taking the simple fact, that the Celts, both of Scotland and England, were excluded from the courtesies of civilised warfare, and that as they did not receive, so they did not grant quarter, their occasional

[1] Sir James Turner's Memoirs, 20.

appearances in the contests of the time were attended by sinister suspicions.

Employing the Celtic races in civilised warfare was employing a force not expected to concede the courtesies of war to the enemy against whom they were let loose. Their hostility was not that of pugnacious enemies met in battle—it was the hatred of one race to another; and the object was not victory but extirpation. To them the infant and the aged mother were objects of hate and hostility as much as the armed soldier. Hence it was a reproach to any civilised ruler to have used such a force—a reproach like that of employing Indians in the American war, the object of one of Chatham's famous philippics. In the present struggle both sides came under this reproach. We have seen that the Highlanders taken by Argyle to Dunse Law were an object of much uneasiness; but they were only twelve hundred or so in an army exceeding twenty thousand, and hence might be kept in order. Many indignant reproaches were heaped on him when he swept the country with his army of four thousand; but it was a palliation of the act, that only to a small extent did his devastations touch the Lowland districts.

On the other hand, King Charles had assembled an army of nine thousand of the wild Irish for the invasion of Scotland. They were odious, of course, as Papists; but they were dreaded for reasons which could not have extended to German or French troops of the same religion. When there was no longer an excuse for its retention, the king had shown great reluctance to disband this army. There were projects for giving the use of it to the King of Spain, and these were treated as mere devices for keeping an armed force of Irish Papists in existence for use when desired—why otherwise should the King of Britain, to help the power of Spain, persist in an act that must be offensive to his own people? At the time of the Incident this force was no doubt disbanded; but their arms were all stored ready for use in Dublin Castle, and it was believed in Scotland that they might be made available on the shortest notice.

It were well if this were all, but it brings us to the

entrance of a darker mystery. On the 4th of November 1641, Sir Phelim O'Neil, the leader of the rebellion, issued a proclamation, announcing: "To all Catholics of the Roman party, both English and Irish, within the kingdom of Ireland, we wish all happiness, freedom of conscience, and victory over the English heretics, that have so long time tyrannised over our bodies, and usurped by extortion our estates." In this proclamation he said he acted under a commission and instructions from the king, referring to "divers great and heinous affronts that the English Protestants, especially the Parliament there, have published against his royal person and prerogative, and also against our Catholic friends within the kingdom of England."

What professes to be the commission has been preserved. It begins: "Charles, &c., to all Catholic subjects within our kingdom of Ireland, greeting. Know ye that we, for the safeguard and preservation of our person, have been forced to make our abode and residence in our kingdom of Scotland for a long season." Then referring to the outrages by the English Parliament, it gives authority "to use all politic ways and means possibly to possess yourselves, for our use and safety, of all forts, castles, and places of strength and defence within the said kingdom, except the places, persons, and estates of our loyal and loving subjects the Scots; and also to arrest and seize the goods, estates, and persons of all the English Protestants within the said kingdom to our use."[1]

By some writers this commission has been cast aside as a forgery so obviously inconsistent with the surrounding conditions that its rejection requires no support in criticism. But this is a matter open to difference of opinion; and any one conversant with the documents of the time could point to papers of undoubted authenticity, issued by the king, of a nature more inconsistent and surprising than this commission.[2] Clarendon and others tell

[1] Rushworth, iv. 401.

[2] "The commission itself, for the grounds and language of it, is very suitable to other despatches and writings under his majesty's name, expressing much bitterness against the Parliament, and jealousy

us that the great seal of England, taken from another writ, was appended to this.[1] But O'Neil's proclamation calls it a "commission under the great seal of Scotland." The passage already cited from it refers to the king as abiding in Scotland when it was issued; and the concluding words of the commission are, "Witness ourself at Edinburgh, the first of October, in the seventeenth year of our reign." It has been said of the copy of the document as given by Rushworth, that in describing the assumption of power by the English Parliament, it anticipates political conditions which did not exist until after its date; but in the king's

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of the diminution of his prerogative, which was always his great fear."—Mystery of Iniquity, 38.

[1] Clarendon says: "They not only declared, and with great skill and industry published throughout the kingdom, that they took arms for the king and the defence of his royal prerogative against the Puritanical Parliament of England, which they said invaded it in many parts, and that what they did was by his majesty's approbation and authority. And to gain credit to that fiction they produced and showed a commission to which they had fastened an impression of the great seal, which they had taken off some grant or patent which had regularly and legally passed the seal; and so it was not difficult to persuade weak and inexperienced persons to believe that it was a true seal and real commission from the king."—Rushworth, iv. 403. The author of the History of the Irish Rebellion (1680) says: "One Plunket having taken an old broad seal from an obsolete patent of Farnham Abbey, and fixed it to a forged commission, it served to seduce the vulgar into an opinion of their loyalty."—P. 29, 30. When it reached Hume's day the shape of the story was: "Sir Phelim O'Neil having found a royal patent in Lord Caulfield's house, whom he had murdered, tore off the seal, and affixed it to a commission which he had forged for himself."—Chap. lv. This is founded on an account of what Ker, Dean of Ardagh, professed, in the year 1681, to give of the trial of O'Neil: "The said Sir Phelim confessed that when he surprised the Castle of Charlemont and the Lord Caulfield, that he ordered the said Mr Harrison and another gentleman, whose name I do not now remember, to cut off the king's broad seal from a patent of the said lord's they then found in Charlemont, and to affix it to a commission, which he, the said Sir Phelim, had ordered to be drawn up."—Nalson, ii. 529. The said Sir Phelim was fortunate in getting his order executed by one intimately acquainted with the condition of official business at that time both in England and in Scotland. Isaac d'Israeli contents himself with saying in a note: "Sir Phelim O'Neil, the head of these insurgents, it was afterwards discovered, had torn off the great seal, and affixed it to a pretended commission."—Commentaries, iv. 396.

way of stating the affronts put on him, he, on other occasions, as on this, exaggerated what had been done, so as to give the picture a greater likeness of what was to be done.[1]

When we find the document thus treated as an evident fabrication, there arises an obvious question—If there was a forgery for the purpose of creating a temporary delusion, why was it not in the name of the English Government, and under the great seal of England? As a warrant of sovereignty, the great seal of Scotland was nothing in Ireland. If it was that only an impression of the great seal of Scotland was available, and that was considered better than no seal, the accident, when connected with what has yet to be told, is one of the strangest that ever happened. The author of a pamphlet which was published two years later, and obtained great notoriety, gave currency to the following rumour:—

"It is said that this commission was signed with the broad seal of that kingdom, being not then settled in the hands of any officer who could be answerable for the use of it, but during the vacancy of the Chancellor's place intrusted with the Marquis Hamilton, and by him with one Mr John Hamilton, the scribe of the cross-petitioners in Scotland, and some time under the care of Master Endymion Porter, a very fit opportunity for such a clandestine transaction."[2]

By a coincidence which, if there was no foul play, must be called unfortunate, it is known that on the 1st of October, which is the date on the commission, the great seal of Scotland happened to be in a state of transition. It was doubtful who was responsible on that day for its custody and its use—it might be said to be amissing. Archbishop Spottiswood continued to be nominally Chancellor—at least no one had been appointed to succeed him,

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[1] See this articulately shown in Brodie's British Empire, ii. 380, edit. 1866.

[2] The Mystery of Iniquity yet working in the Kingdoms of England, Scotland, and Ireland, for the destruction of religion truly Protestant, discovered, 1643, attributed to Edward Bowles, p. 37, 38.

although he was excommunicated and a fugitive. The great seal had been committed to the charge of Hamilton. On the 30th day of September Loudon was made Chancellor by a joint Act of the king and the Estates under the new arrangement. Though thus appointed to his office on the 30th of September, the great seal was not put into his custody until the 2d of October. On that day, under an order from the Estates, he, "for obedience of the said command, produced the said great seal in presence of the king and Parliament." The order of the Estates shows at the same time that the author of the 'Mystery of Iniquity' was acquainted with the minor arrangements about the custody of the seal. He mentions "one Mr John Hamilton;" and the Act for the production of the seal sets forth that it had been used by the Marquis of Hamilton, "and his underkeeper, Mr John Hamilton, advocate."[1]

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[1] Act. Parl., v. 366, 367. When the author of the 'Mystery of Iniquity' spoke of Endymion Porter as a man likely to play tricks with a great seal, his suspicions have something of a prophetic character, unless he happened to be acquainted with a secret transaction of the same year as the publication of his pamphlet—1643—which was not revealed until the Restoration. By that transaction there was to be a full toleration of the Roman Catholics, a measure that in later times, and freely granted, would have been entitled to all applause. The price, however, was to be—assistance against the Parliament from an Irish army of twenty thousand men. The negotiator was the Lord Glamorgan. When applying through Clarendon for Court favour at the Restoration, he gave this account of his warrant for the transaction :—

"My instructions for this purpose, and my power to treat and conclude thereupon, were signed by the king under his pocket signet, with blanks for me to put in the name of Pope or Prince, to the end the king might have a starting-hole to deny the having given me such commissions, if excepted against by his own subjects ; leaving me, as it were, at stake, who for his majesty's sake was willing to undergo it, trusting to his word alone.

"In like manner did I not stick upon having this commission enrolled or assented to by his Council, nor indeed the seal to be put unto it in an ordinary manner, but as Mr Endymion Porter and I could perform it, with rollers and no screw-press."—Letter from Glamorgan, after he had become Marquis of Worcester, to Clarendon, June 11, 1660 ; Clarendon's State Papers, ii. 201-203.

The object of the letter is to acquaint Clarendon "with one chief

The two questions—first, whether the rebels had a commission under the great seal of Scotland; and next, if they had, whether the king sent it to them—might perhaps reward the labours of one of these archæologists whose taste and qualifications turn in the direction of close minute inquiry. The questions, after all, are not of wide importance. The king is not charged with the carnage that followed; and if it be that he secretly asked the Irish Papists to assist him against his Puritan and Presbyterian assailants, the imputation would make no serious addition to the weight of perverseness that depresses his political reputation. The elements of some horrible crisis were all prepared in Ireland—the political work of centuries had accumulated them, and an accident would give them life. But to have been the author of that accident—to have been even accused of it, if he were innocent—must have been a calamity sufficient to add many drops of bitterness to the heart of the most unfortunate of men. He was not a man of blood. His conscience was quick and active—too active, indeed, in its own peculiar direction, for the peace either of himself or others. Domestic affection was strong in him. Even that form of it which created so much wrath against him, his devotion and entire loyalty towards his unpopular wife, told of a nature to which acts of cruelty and carnage must have been repugnant.

If there was some sunshine when the Scots Parliament

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key wherewith to open the secret passages" between the late king and the marquis. It will be observed that he, a performer in the curious mechanical feat described by him, was the author of that 'Century of Inventions' who has often been credited with the invention of the steam-engine. If it is a fair conclusion that such a commission under the great seal of Scotland was sent to Ireland, it is easy to find who carried it over. The author of the 'Mystery of Iniquity' says the Lord Dillon of Costelough went to Scotland with the queen's letters to the king. In the month of October he "went out of Scotland from his majesty into Ireland, bringing his majesty's letters, which he obtained by mediation of the queen, to be presently sworn a Privy Councillor of Ireland"—Rushworth, v. 349. He lay under heavy suspicion of connivance in the rebellion, and venturing into England, he was imprisoned by the Parliament on the charge, which, however, was never proved, that he had been sent as an agent "by the rebels of Ireland to the king"—Clarendon, 353.

opened in May, there was gloom enough in November when it closed. The business at the end was hurried over to let the king return to his English Parliament, with the new and terrible work that had fallen on the hands of both. Before he left Scotland he conferred the distinctions already referred to. The Estates had determined to assemble once at least in every period of three years, and never to dissolve without fixing the period for reassembling. At their last meeting, on the 7th of November, "because this present Parliament is this day, by the assistance of God Almighty and his majesty's great wisdom, to be brought to ane happy conclusion," the next was appointed to meet on the first Tuesday of the month of June, in the year 1644.

The Scots Estates made an offer about Ireland, which in words was prompt and vigorous. They would immediately send, out of the materials of the fine army which had just been disbanded, a force of ten thousand men, with three thousand stand of arms. In the view of many of the English statesmen of the day the offer was far too good. Scotland was, in the division of parties elsewhere, so influential and powerful, that nothing seemed too great to be achieved by her; and with ten thousand well-trained men in Ireland, Scotland would have more command there than England ever had—it would be a direct transference of the great Dependency. The project was not abandoned for these considerations. It was but languidly supported, however, from England, and only in part fulfilled. Leslie, with Monro as his lieutenant, landed in all about four thousand men at Carrickfergus. Again the antithesis of the two countries is repeated—Ireland in greater chaos than ever, though with an unusual unanimity in cruelty and destructiveness; the Scots force moving in the centre of all in its own separate distinctness, an army still more orderly and exact in drill than the Highlanders of fifty years earlier. One serious doubt disturbed them—for whom were they fighting? Was it to king or to Parliament that they were to look for their pay? They sought a solution of the difficulty in reliance on their own compact action, and so held the towns and fortified places taken

by them as provisionally their own. One of their body describes them as taking example from their own Covenant: "The officers of this, our Scots army in Ireland, finding themselves ill paid, and, which was worse, not knowing in the time of the civil war who should be their paymasters, and reflecting on the successful issue of the National Covenant of Scotland, bethought themselves of making one also. But they were wise enough to give it another name, and therefore christened it a 'Mutual Assurance;' whereby upon the matter they made themselves independent of any, except those who would be their actual and real paymasters, with whom, for anything I know, they met not the whole time of the war."[1] They would take no general orders but from home; and so when Ormond, according to the same participator in their lot, "signified by a trumpet to us the cessation he had, by his majesty's appointment, concluded with the Irish for a year, and required Monro in the king's name to observe it," "he refused to accept it, because he had no order for it from his masters of Scotland."[2] Leslie, the commander, found, as we shall see, other work to do, and he left his charge in the hands of General Monro. To him fell the chief command of the English as well as the Scots troops in Ireland, and in 1643 he was in command of an army ten thousand strong.[3]

The two divisions of Britain were too much occupied—each about itself, and both about each other—to think much of unhappy Ireland. A committee from the English Parliament had accompanied the king to Scotland, for the avowed object of assisting him as a council, but for the real object of transacting their own business with their friends in Scotland. Certain Scots commissioners at the same time attended the English Parliament, so that there was an official apparatus for close intercommunication. A

[1] Turner's Memoirs, 24. [2] Ibid., 29.

[3] For an account of particulars of the services of Monro's army in Ireland, and its progress as far southward "as Killarney woods," see a paper in the 'Ulster Journal of Archæology' on the "Proceedings of the Scotch and English Force in the North of Ireland in 1642," vol. viii. 77.

General Assembly continued to meet annually in Scotland as a matter of routine. Its business now had little interest except to those immediately concerned. The Assembly of 1640 took up its testimony against private associations of Christians for religious or ecclesiastical purposes, a practice out of the prevalence of which the Assemblies seemed to fear the growth of the Independent or Congregational system. They saw the growth of this system in England with much alarm, and lost no opportunity of denouncing it. The Presbyterian party in England gave them a good occasion for speaking to this point, when in the General Assembly of 1641 "a letter from some ministers in England" was presented. These ministers were groaning under the yoke of Episcopacy, which they now had hope that God of His infinite goodness would remove from them. But this hope was somewhat shaded by the growth of sectaries, who maintained that each congregation was its own church government, with right of excommunication and all other powers of the keys. They modestly requested the judgment of the Scots Assembly on this difficulty, saying: "We do earnestly entreat the same at your hands, and that so much the rather because we sometimes hear from those of the aforesaid judgment, that some famous and eminent brethren even among yourselves do sometimes incline unto an approbation of that way of government."

The answer of the Assembly was of course an exhortation to stand fast by the divine right of Presbyterian government. In acknowledgment of this, the Scots clergy received at their next Assembly, from their brethren of England, the comforting assurance: "Our prayers and endeavours, according to our measure, have been and shall be for the supplanting and rooting up whatsoever we find so prejudicial to the establishment of the kingdom of Christ and the peace of our sovereign. And that this declaration of ourselves may not leave you unsatisfied, we think it necessary farther to express that the desire of the most godly and considerable part amongst us is, that the Presbyterian government, which has just and evident foundation both in the Word

of God and religious reason, may be established amongst us; and that, according to your intimation, we may agree to one confession of faith, one directory of public worship, one public catechism and form of government—which things, if they were accomplished, we should much rejoice in our happy subjection to Christ our Head, and our desired association with you, our beloved brethren." [1]

That Assembly meeting of 1642 was honoured by a message from the Parliament of England calling attention to their declaration of their case in the quarrel with the king.

This had gone rapidly onward since his return from Scotland. The grand remonstrance, the attempt to seize the five members, the impeachment of the bishops, the dispute about the militia, had followed on each other; and at length, on the 28th of August 1642, the king's standard was raised at Nottingham. Both parties looked with eager longing at the materials of the fine army lately disbanded in Scotland. Much as the governing men in Scotland had lately been pleased with the docility of their king, they were sagacious enough to estimate it at its true value. They knew that his heart was at war with every Act to which he had put his hand, and that all would be reversed when the opportunity came. Indeed he was known to have said as much to those in his confidence, by whom the secret was not always completely kept.

There came appalling rumours from Ireland. People had supped full of horrors in the carnage of the rebellion; and the tale was so horrible that some have thought in later times that it was a great popular delusion, and that no more blood was shed by the Irish rebels than the necessities of war and the mismanagement of undrilled combatants may reasonably account for. However this may be, the Irish massacre, as it stands in the ordinary histories, was then believed in Scotland, and believed with some exaggeration. Before this awful evidence of their bloody spirit had become known, there was a rumour that nine thousand of the wild Irish were coming to sweep Scot-

[1] Peterkin's Records, 294-296, 329.

land. After the terrible example had been shown, there was again a rumour of an invasion from Ireland, and it was to be on a larger scale. Glamorgan had made peace between the King of England and the Church of Rome. The Papists were to be encouraged by the Court, where they had a good friend in the queen. In return for the grace extended to them, they were to send over to Scotland an army of the men who had done the bloody work of the Irish massacre. Farther, the Scots were informed by their good friends of the Parliament of England, that the Lord Antrim, one of the leaders in the rebellion, had a negotiation in hand for gaining Monro and his army of ten thousand—Scots and English—for the suppression of the Parliamentary party in England.

While the king's party was playing a game of this kind, the English Parliament was day by day approaching the perfection that ruled in Scotland, and reaping golden opinions from the Scots. On the 10th of August 1643, the commission of the Parliament of England in complimentary fashion addressed the General Assembly of the Church, claiming credit for following the footsteps of Scotland which had gone before: "To give them an account of their earnest desire to see the same work promoted and perfected among ourselves, which, though it hath been opposed and retarded by the industrious malice of the Popish, Prelatical, and Malignant party, yet through God's goodness it hath so far prevailed as to produce the removal of the High Commission, the making void the coercive powers of the prelates and their courts, the ejection of bishops from the House of Peers, the turning out of many scandalous ministers; besides that they have passed and presented to his majesty divers bills—viz., for the suppression of innovations; for the more strict observation of the Lord's Day; against pluralities and non-residence; for the punishment of the scandalous clergy; for the abolition of Episcopacy, and the calling an Assembly."[1]

At this period the Parliamentary party were in a critical

[1] Peterkin's Records, 347.

position. They were steadily losing ground in the war, and defeat and death on the scaffold looked the leaders in the face. It was the question of life or death to them to have a good army, and Scotland was the place where that commodity was to be found. Scotland was therefore earnestly and sedulously cultivated. Some thirty years before, the Scots were a people somewhat indifferent about religious matters, but late events had thrown them into the cause of the Covenant with all the ardour and steady endurance of their nature. The progress made by England towards their own position was the best mode of propitiating them ; and this policy was completed by a bold and brilliant stroke, when England, after the preliminaries to be told in dealing with the Assembly of Divines, adopted the Solemn League and Covenant, and suggested it as a bond of brotherhood for all the three kingdoms. A more august national compliment could not have been paid : it was the two great nations humbly and dutifully following the small community of chosen people in the path of righteousness. The Solemn League and Covenant took the essence, both of its purport and of the terms in which this was expressed, from the National Covenant of Scotland.

There were many references in the Scots document to Acts of the Estates and the Assembly, which were of course omitted. But under that omission, necessary as it was, there lurked a great policy. It was these references that specially linked the Scots Covenant to the Presbyterian form of Church government. Otherwise, it was a mere protest against Popery, and an obligation to support the Reformed faith. The Solemn League and Covenant had nothing as a substitute for these references to bind its adherents to the Presbyterian polity. The only clause approaching such an obligation was for "the preservation of the Reformed religion of the Church of Scotland, in doctrine, worship, discipline, and government, against our common enemies." The promise as to the rest was, "The reformation of religion in the kingdoms of England and Ireland in doctrine, worship, discipline, and government, according to the Word of God, and the

example of the best Reformed Churches."[1] The Scots seemed to have no doubt that this meant their own example. The homage to the superior sense and sanctity of Scotland was intoxicating, and both in Parliament and the Assembly the Solemn League and Covenant was received with rapture. Statutes were passed for enforcing subscription throughout all the three kingdoms to this new testimony.

On some minor points the English Parliament continued to gratify the Scots with judicious alacrity. They were zealous against the religious observance of what they called "Youle," or the ancient heathen festival of Yoll, preserved in England under the guise of Christmas. Would the Parliament gratify the commissioners by sitting and working on that day? "We prevailed," says Baillie, "with our friends of the Lower House, to carry it so in Parliament that both Houses did profane that holy day by sitting on it to our joy and some of the Assembly's shame."[2] But though ready to gratify them with any amount of words, or some small deeds such as this, the Parliament kept behind all a resolute determination never to subject themselves to Presbyterian discipline.

The king told them at the time, what was true, that the Parliamentary party, "what pretence soever they make of the care of the true Reformed Protestant religion, are in truth Brownists and Anabaptists, and other independent sectaries; and though they seem to desire an uniformity of church government with our kingdom of Scotland, do no more intend, and are as far from allowing the church government established there, or indeed any church government whatsoever, as they are from consenting to the Episcopal."[3]

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[1] Peterkin's Records, 362. [2] Baillie's Letters, ii. 121.

[3] The King's Majestie's Declaration to all his loving Subjects of his Kingdom of Scotland, Edinburgh, 1643. There is somewhat of a pathetic eloquence in the following passage in this paper: "We do conjure all the good subjects of that our native kingdom, by the long, happy, and uninterrupted government of us and our royal progenitors over them—by the memory of those many large and public blessings they enjoyed under our dear father—by those ample

The Estates of Scotland assembled on the 22d of June 1643, to deal with the momentous question now demanding a decision. It was a meeting by convention—that is to say, without the warrant or concurrence of the king, and indeed in this instance against his counter-order. But this was no longer a critical step to be deeply pondered—it was a matter almost of indifference, and was treated as the restoration of an old constitutional privilege which in the recent servile times had been almost forgotten. The Committee of Estates was reappointed, and the local war committees resumed their work in the counties. The leading men and the nation at large had become accustomed to sudden calls to arms, as soldiers are when they have been in long practice; and we hear nothing, as in the previous marches, of the rumours and preparations.

When fully determined on, the affair was pursued with thorough earnestness. To meet the threatening exigencies of their allies, an army of twenty-one thousand men began its march southward in the depth of winter, with deep snow on the ground. It was natural that the force should be again commanded by the old Earl of Leven; but it has to be noted, because it was material to the result, that he was accompanied by his nephew, David Leslie, a greater soldier than himself, who assisted him as major-general.

The capture of Newcastle by the Scots in 1641 had made both parties see how important was the port on which London and many other towns in southern England depended for fuel. The place was strongly fortified and garrisoned. It was the point to which the queen was to bring the aid she might obtain from abroad in money

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favours and benefits they have received from us—by their own solemn National Covenant, and their obligation of friendship and brotherhood with the kingdom of England, not to suffer themselves to be misled and corrupted in their affection and duty to us by the cunning, malice, and industry of these seditious persons and their adherents, but to look on them as persons who would involve them in their guilt, and sacrifice the honour, fidelity, and allegiance of that our native kingdom to their private end and ambition."—P. 8.

and troops. The news went about that at one disembarkation there were landed there from the Hague at the queen's direction a thousand stand of arms, twenty pieces of ordnance, and two thousand pounds in money, accompanied by eighty experienced officers, "with many horse for service waggons, &c."[1]

The Parliament issued an ordinance, finding "that since the beginning of the present troubles, that town of Newcastle, being possessed by forces raised against the king and Parliament, hath become and is the principal inlet of foreign aid, forces, and ammunition." As vessels entering the harbour on the profession, real or pretended, of exporting coal, helped the garrison by importing provisions and munitions of war, the exportation of coal from Newcastle was prohibited.[2] The Parliament took strong measures artificially to supply London with coal from other places and with firewood; but while the town remained in the hands of the Royalists the prohibition was a source of extreme misery—it hence became all the more momentous that Newcastle should be taken. A special fund was raised in the city of London for this service, and with some ingenuity it was aided by a heavy licence duty on the privilege of bringing coals from Newcastle in exemption from the prohibition. But the fighting-work was to be done by the Scots army.

On the 19th of January 1644, Leslie again crossed the Tweed with an army rather more than twenty thousand strong. We are told that the river was so strongly frozen as to permit a passage on the ice even for the heavy baggage. When they reached Newburn, where they had crossed before, they found the passage too strongly fortified to be attempted. They had to march farther up, and on the 28th crossed at three fords—Ovinghame, Bydwell, and Altringhame. It was deep wading, and one of the army says: "The Lord's providence was observable in that nick of time we passed the river, which for eight days after would have been impossible for us to have done.

[1] "A great Discovery;" Newcastle Reprints, II.
[2] Ordinance; Newcastle Reprints.

in respect of the swelling of the river by the melting of the snow."[1]

Resting on Sunday, they entered Sunderland on Monday the 5th. Appearances threatened a battle there. Sir Charles Lucas, with a force estimated at fourteen thousand, and strong in horse, formed on a height close by in battle order, and the Scots prepared to close. The armies faced each other for a whole day. It was not the policy of the Scots to weaken themselves before besieging Newcastle, and Lucas, as it seems, thinking it unsafe to attack them, moved southwards. The retreat tempted the Scots to harass his rear; but a snowstorm, through which they could not see their enemy, baffled the attempt, and the English, after material losses from cold and storm, sought rest in Durham. The weather gave material advantage to the Scots, with their hard northern training. We find them taking a march of "eighteen Scottish miles when it was a knee-deep snow, and blowing and snowing so vehemently that the guides could with great difficulty know the way, and it was enough for the followers to discern the leaders; notwithstanding whereof they were very cheerful all the way; and after they had been a little refreshed at night, professed they were willing to march as far to-morrow."[2]

Some small outforts—one of them at Coquet Island, another at South Shields—were easily taken. Without a Royalist army to support them they could not stand in the face of the large force brought from Scotland. The siege of Newcastle, however, was to be a great trial of strength. The Royalists of the north took their families and movable valuables into that town, as the best hope for safety in the confusion of the war, and there a critical contest in the great civil war was to be decided.[3]

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[1] Proceedings of the Scottish Army; Newcastle Reprints, 11.

[2] The Scots Army advanced into England, &c.; Newcastle Reprints, 12.

[3] An observer on the spot says: "The Scots lie quartered about Morpeth, Seaton, Hepham, Ogle Castle, Prude, and those parts about Newcastle; and have laid a strong siege about Newcastle also, and lie close under the very walls. The Malignants

It was an affair of time. The Scots force had been hastened to the spot rather to blockade the town in the mean time than to attempt its capture; for a large portion of the siege-train had yet to be brought up, and, in the language coming into use as to operations on fortified places, the besieging general had to "sit down" before Newcastle. Desirous to avoid a storming, they offered what they considered good terms, and complained that the enemy trifled with them.[1] The Royalist garrison was indeed under strong temptation to hold out, as a slight turn in the fortunes of war might bring a relieving force to the gate. There were, as we shall see, great things done elsewhere in the mean time; but October came, and still the situation at Newcastle was the same. On the

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are for the most part all gone into Newcastle when they first heard of the Scots." "They do carry themselves so civilly and orderly that the country do even admire them, taking not the worth of a penny from any man but what they pay fully for; and they are not come unprovided, for every soldier hath two or three pieces in his pocket; and there hath thousands come into them and taken the Covenant, and their army doth exceedingly increase." These are the notes of a Parliamentary man and a partisan—a certain Colonel Curfet—arriving at the spot on the 4th of February. He seems to have taken service with Leslie. "A true Relation of the Scots taking Coquet Island;" Newcastle Reprints.

[1] "1. That all officers and soldiers who are desirous to go out of town, should have liberty to go, with arms, bag, and baggage, to any garrison not beleaguered, within sixty miles; and should have a convoy, waggons, and meat on the way.

"2. That all strangers, sojourners, or inhabitants, who desired to go with the soldiers, should have the like liberty and accommodation.

"3. The town shall enjoy their privileges and jurisdiction conform to their ancient charters.

"4. The persons, houses, family, and goods of the citizens and inhabitants should be free and protected from violence.

"5. They should have their free-trade and commerce, as other towns reduced to the obedience of the king and Parliament.

"6 That any of them who desired to go into the country, and live in their country houses, should have safeguard for their persons, families, goods, and houses.

"7. That no free billeting should be imposed on them without their own consent.

"8. The army should not enter the town, but only a competent garrison."—Newcastle Reprints.

19th the critical moment had come: "We had been so long expecting that these men within the town should have pitied themselves; all our batteries were ready; so many of our mines as they had not found out and drowned were in danger of their hourly finding out; the winter was drawing on, and our soldiers were earnest to have some end of the business, which made the general, after so many slightings, to begin this morning to make breaches, whereof we had three, and four mines. The breaches were made reasonably low before three of the clock at night. All our mines played very well. They within the town continued still obstinate. My Lord Chancellor's regiment and Buccleugh's entered at a breach at Close Gate. The general of the artillery, his regiment, and that of Edinburgh, entered at a mine at the White Tower." In all, eight storming-parties attacked through mines or breaches, and carried them.[1]

The fate of the town and its fortifications was thus decided. The castle held out, and capitulated on the 27th. The decision of the great coal question, just as winter was beginning to announce his approach, made the event auspicious to the middle classes and the poor of England in the south. A Cavalier historian tells us that "the surrendry proved of great importance to the city of London, where the poorer sort of people for the two last years had been almost starved for want of fuel, coals having risen to the price of four pounds a chaldron, a price never known before that time."[2]

While the siege-works or "approaches" moved on, work had been found elsewhere for the general and the greater portion of the army. They marched to Tadcaster in March, and there met the Parliamentary army under Manchester, Fairfax, and Cromwell. A Royalist force under the Marquis of Newcastle held York, and the

[1] "A letter from Newcastle, &c., containing a Relation of the taking of Newcastle by storm, dated the 19th of October 1644;" Newcastle Reprints. The places entered by the storming-parties are here enumerated, and explanations are afforded by the editor for their identification at the present day.

[2] Echard, iii. 482.

united armies determined to drive them out. The commander sent a flag to Leven, asking what his intentions were in having "beleaguered this city on all sides, made batteries against it, and so near approached it." The old soldier's answer might have been taken as a jest if the game had been less serious—he had brought his forces before the city "with intention to reduce it to the obedience of king and Parliament."[1] The investment here was not so complete, however, as to prevent passage and the strengthening of the garrison. It was said that Rupert should have been contented with this; but it is questionable whether the augmented garrison could have stood against the augmented army before it. However it was, he gave battle at Long Marston Moor, about five miles westward of York. On this renowned field there are none of the marked features which sometimes help so materially to clear the scope and tenor of a pitched battle from the confused details of those who have described it. The necessity of circumstances, not a choice on either side, forced the armies to fight it out where they were. To prevent the allies from reaching York, Rupert had to keep sufficiently near to wheel and meet his enemy at any point. Within that limit the allies had their choice of ground, and had any point offered advantage, they might have secured it; but the whole was a flat plain, on which they descended from a low ridge of hills to the west. There were thus neither helps nor impediments, except of the smaller kind, in which one who was present mentions "furze and ditches." The only difference between the two positions was, that Prince Rupert's army was on the open moor, and the other in cultivated fields. The numbers seem to have been well balanced—about twenty-three thousand on each side.

Prince Rupert headed one of those impetuous attacks for which he was renowned, and scattered before him the right of the allied army under Fairfax and Leven. It was one of those great blows that may confuse a whole army; but the other half was in very competent hands—

[1] Rushworth, v. 624, 625.

those of Cromwell and David Leslie. They beat back their opponents, not by a rush, but a hard steady fight, and were on the enemy's ground when Rupert returned from a pursuit which he had carried too far. He found that while he had been away pursuing the defeated enemy, events behind him had arranged matters for a second battle, in which each occupied the ground that earlier in the day had belonged to the other side. The end was an entire victory both over those who had been driven back and those who had pursued as victors. There was much debate on the question whether it was to Cromwell or to David Leslie that the merit of the victory was due; and it came to be said that the English claimed it for Cromwell and the Independents—the Scots for David Leslie and the Presbyterians. The fact material to the position of Scotland at this point of time is, that certainly the victory would not have been gained but for the Scots army, and that the position taken by Scotland at this critical juncture gave a tone and influence to the whole of the struggle.[1]

[1] There is more than the usual difficulty in unravelling the details of this battle, as on the side of the allies there were three commanders —Leven, Fairfax, and Manchester—and yet the victory is not accredited to any one of them. As if this did not furnish sufficient element of confusion, we have to look to two committees—one from the English and another from the Scots Parliament—who were joint commanders-in-chief. In the official despatches Leven's signature takes precedence, followed by Fairfax's and Manchester's. In the despatch after the battle, David Leslie's name comes in as a joint leader. He seems to have been the hero of the day, though Cromwell's presence, interpreted through his subsequent career, has brought him to the front in history. Cromwell had only the command of three hundred horse (Rushworth, v. 634), and though he no doubt handled them effectively, the force was scarcely large enough to give the ruling influence to such a victory. There is so little said of him in contemporary documents, that his conduct in the battle has been bandied between contradictory mysteries. By one account he had to be removed to get a wound dressed, and it was owing to this temporary absence of the ruling spirit that Rupert gained his advantage (A short critical View of the Political Life of Oliver Cromwell, by a gentleman of the Middle Temple, p. 24.) In the Memorial of Denzil Hollis it is maintained that Cromwell left the field in a fright—an addition to the many instances in which, through the spirit of paradox, cowardice is

It is now time to turn to a scene of strife nearer home. It was less momentous than the war in England; it left the political conditions, indeed, just as it found them, and made no other mark on the country but the miseries attending a rapid succession of small battles. But these had picturesque peculiarities which have found for them an interest. It seems to have first occurred to the Queen that the ardour and military genius of Montrose might be turned to use. To him it had occurred that a large amount of fighting material lay waste in the British dominions. He had himself seen the Celt at war in Scotland both as an ally and an enemy. The Irish rebellion had shown all too well that the race could be effective in one of the chief ends of warfare—the destructive. To the formal commander in legitimate warfare, the Celts, as seen chiefly in the Highlanders, had many and fatal defects. They had a system of discipline of their own, very lax and precarious, and they would work in no other. They would follow no leaders and obey no commanders but those whom the accident of birth had set over them, and the highest military skill was lost in any attempt to control them. They were inveterate plunderers; and instead of contenting themselves with articles small and valuable which they could carry with them on the march, or with the price of what they could sell, they would seize anything—furniture or clothing—and scamper home with it. After a battle they all dispersed to their own glens,—loaded with plunder if they were successful—dejected and dispirited if they were not. They were unsteady in face of a fusilade, and the roar of the cannon scattered them like a flight of pigeons. Finally, if they were unsuccessful in their first dash at the enemy, they gave up the contest and dispersed. On the other hand, they were all ready

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attributed to those who by their general conduct have shown it to be nearly impossible that they could be liable to this frailty. It is said that in this battle four thousand were killed on the field, but, as usually befalls the returns of killed in battle, on imperfect information —merely that "the countrymen who were commanded to bury the corpses gave out that they interred four thousand one hundred and fifty bodies" (Rushworth, v. 635).

for the field, and trained to fight after their manner. Their rush on the enemy was terrible. If the method of conducting a war were to their taste, their patience and endurance were inexhaustible. They were fit for the field after starvations that would ruin ordinary troops. They required no commissariat or baggage-train, and could cross wild ranges of country, and pounce on any destined spot like their own eagles.

Since the time of Harlaw there had never been so many of them in the field as to be properly a Highland army. When the old claims of the Lords of the Isles to something like royalty died, the chiefs of clans would not serve under each other. Hence no Highland army was ever led by a Highlander. It was to be seen whether such a feat could be accomplished by a Lowlander. The experiment succeeded. If the clansman had his own immediate chief to give the word of command, the question, who gave authority to that chief, was beyond the scope of his philosophy. With such their defects and their qualifications, there was a prejudice against the employment of such hands in warfare — a certain discredit rested on the act, indeed, for reasons already referred to.[1] The vindication for their employment on this occasion would of course be, that the cause of the Crown being in a desperate condition, demanded and justified a desperate remedy.

Montrose's scheme was not so wild as at a first glance it might appear. He did not propose to reconquer Scotland to the royal cause with his Highlanders, even though aided by unlimited drafts on Ireland. His project was to get Leven's army, of more than twenty thousand trained and hardy soldiers, out of England, where they decidedly turned the balance of war against the king. He was to make them find the necessity of returning home for the defence of Scotland. When he first suggested the plan, it was by Hamilton's advice rejected; and some authors on the Cavalier side regretfully say that it was adopted just when it had become too late.

[1] See above, on the Irish massacre.

His commission gave him plenary sovereign powers, through an ingenious arrangement for avoiding offence to those of rank above his own who would thus become subordinate to his authority. A patent was issued to Prince Rupert of a novel character, making him Viceroy of Scotland. Montrose was his lieutenant, who was to do the viceroy's work. His intention was to march from England with a force sufficiently strong to make its way through Scotland, until it was joined by the Highlanders and the Irish promised by Antrim. In this view he desired a detachment from Newcastle's army in the north to be put forward at his command. Coming, as he did, with high authority and designs which must weaken an army already all too feeble for its own work, he was not a welcome counsellor to the harassed commander of the royal army. He got but a small force—some eight hundred footmen, as it is said, and three troops of horse. With these he was able to do no more than harass the south-west of Scotland, and drive the Covenanters out of the town of Dumfries. He thought by personal application to Prince Rupert, his superior in command, to accomplish his object. But he joined Rupert on the day after Marston Moor, not a time propitious to parting with a portion of his army.[1] It became clear that Montrose would not obtain a force sufficient to carry him to the spot where he was to find his Irish and Highland army. This was no doubt irritating and mortifying; but in the end it was the foundation of his fame, since it gave him the opportunity for playing the hero in one of the most brilliant passages of the romance of war.

He resolved to find his way in disguise to the place where he would discover his army. He executed this design very skilfully. As Lieutenant-General of Scotland, he was ostensibly on his way to the king at Oxford in all suitable pomp. The carriage and the train kept moving slowly onwards, while he who should have been the centre of all the pomp was on his way through Scotland, dressed as a groom, and, to appearance, in attendance upon two gentle-

[1] Rushworth, v. 482.

men, Sir William Rollo and Colonel Sibbald, who virtually were in attendance on him. He thus arrived in safety at Tullibeltane, in the highlands of Perthshire, where he found his kinsman, Graham of Inchbrachie. The adventure appeared for some time to be a dead failure. The Estates and their committee had organised so strong a government that neither those Lowlanders who belonged to the Cavalier party, nor the Highlanders, who were delighted to rise against any government that was strong and orderly, durst move. He heard at last that Antrim's Irish troops had arrived,—a percentage only of the promised number—some twelve hundred instead of ten thousand. They were in imminent danger of extermination by Argyle, when they received an order from Montrose, as the king's lieutenant, to march to Blair Atholl. Here he raised the standard. The "fiery cross" went through the glens, and, with the marvellous celerity peculiar to Highland gatherings, he was speedily at the head of some three thousand men. Accident favoured him; for his standard was joined by Lord Kilpont, with a body of men who had been assembled for the avowed purpose of opposing the Irish aggressors. It was resolved to march on Perth, Montrose walking at the head of his force in a Highland dress.[1]

When rumours of this formidable movement reached the citizens of the town and the neighbouring Lowlanders, they gathered in a tumultuous body, placing Lord Elcho at their head. They marched, if marching it could be called, to a barren plain called Tippermuir, some four miles west of Perth. It is said that they were more than double the number of their enemies; but, a mere mob as they were, their numbers only increased their incapacity to meet an enemy. On Montrose's side we have the first instance of that simple tactic by which many Highland victories were afterwards gained. Those who had pieces discharged

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1 His costume is called "coat and trews," or trowsers, a costume not now associated with the Highlands. In one place, however, Spalding says "the lieutenant was clad in coat and trews, as the Irishes was clad," meaning by "Irishes" Highlanders (p. 409).

them and threw them down; then all swept forward in the great rush that must be destructive either to their enemies or themselves. In this instance the rush was successful—the confused mass of people at once broke and scattered. They were pursued and slain by their nimble enemies. This occurred on Sunday the 1st of September. It is only in the amount of the slaughter—estimated at two thousand—that this affair deserves the dignified title of a battle.[1] At a distance, however, it sounded emphatically in giving Montrose possession of Perth. This city was at that time second only to Edinburgh as a military position; it was the capital of a large district, and in the centre of Scotland. A battle followed by such an acquisition seemed almost to balance Marston Moor and the possession of York.

To Montrose, however, the acquisition was only of importance in the plunder it afforded. He remained but three days in Perth. He had to evade Argyle, who was approaching with a large force; and his Highlanders, as usual, were scattering homewards with their plunder. From some mysterious quarrel, Kilpont was murdered in the camp, and his contingent went off in a body. Montrose had few beyond the worthless Irish, who could not leave him. He found compensation for his losses, however, in recruits from the Ogilvies and other Cavaliers on the Braes of Angus. With an army fifteen hundred strong he resolved to attack Aberdeen. By repeated onslaughts and continual harassment that ill-fated town had been

[1] Such, when stripped of attempts at military pedantry, appears to be the purport of the account of "the battle of Tippermoor" given by Montrose's eulogistic biographer Wishart. It is useless to compare it with the other accounts, as they are all derived from it. The ground where the affair occurred is a low upland now covered with a dark fir plantation. It rises up westward from a farm called Cultmalindy, and its local name is Lamerkin Muir, Tippermuir being the name of the parish and a neighbouring small village. Except that it has a full view of the Grampians, it is an uninteresting battle-field, since it was not selected according to a tactic on either side, but was the mere spot where the two bodies of men, going in opposite directions, met each other. For the local account of this affair see Memorabilia of Perth, 107.

subdued to the cause of the Covenant, those citizens whose stubborn spirits would not conform finding a home elsewhere. It was sometimes, as a place of questionable fidelity, garrisoned by large bodies of the Covenanting forces. At this juncture it was but slightly protected. The cause, however, mustered nearly three thousand men, a great portion of them from the south of Scotland.

Montrose avoided the difficulty of the Bridge of Dee by crossing the river ten miles higher up. He met the Covenanting army to the westward of the city, between "the Craibstane and the Justice Mills." They fought for two hours, and then the Covenanting army fled. "There was little slaughter," says an eyewitness, "in the fight; but horrible was the slaughter in the flight—fleeing back to the town, which was our townsmen's destruction. Whereas if they had fled and not come near the town, they might have been in better security." "The lieutenant follows the chase to Aberdeen, his men hewing and cutting down all manner of men they could overtake within the town, upon the streets, or in their houses, and round about the town, as our own men was fleeing—but mercy or remeid. These cruel Irishes, seeing a man well clad, would first tyr [strip] him and save the clothes unspoiled, then kill the man."[1]

Of the scenes occurring when towns are at the mercy of lawless captors, history sometimes affords accounts too grandiloquent for distinctness; and one may have a better notion of the reality from the impression made on the local chronicler in his walks abroad: "The men that they killed they would not suffer to be buried, but tirred them of their clothes, syne left their naked bodies lying upon the ground. The wife durst not cry nor weep at her husband's slaughter before her eyes, nor the mother for the son, nor daughter for the father—which if they were heard, then they were presently slain also." The town was taken on Friday the 13th of September, and next day Montrose marched westward with his force, "except such Irishes as were plundering the town and killing our men which went

[1] Spalding's Memorials, ii. 407.

not with them."[1] This was an instance of the spirit which made it a scandal in that age to employ such instruments in warfare. This was the third visit paid by Montrose to Aberdeen. In the two former he had chastised the community until he brought them into conformity with the Covenant, and now he made compensation by chastising them for having yielded to his inflictions.

He wandered through the Gordon country only to experience a mortifying illustration of the character of Highland politics. All his efforts to communicate with the head of the house were baffled. Whether it was that Huntly would not co-operate with the man who had betrayed him, or that, as some said, he had hidden himself from his enemies so effectively that even his friends could not find him, Montrose never got the use of his name for raising his people, and therefore appealed to their sense of loyalty in vain. So nimbly, indeed, did they evade the messengers sent among them, that the country appeared empty of men.

The point of wonder in Montrose's operations henceforth is, the apt use he made of the peculiar qualities of his force in rapid movements from place to place. For some time in the north he and Argyle were close to each other, and their contest was like that of the hawk and the heron — Montrose never permitted the two to come so close together as to touch each other unless when he was prepared to wound. In winter Argyle retired to his own castle at Inverary. It was a current belief that the passes into the Argyle country, difficult in summer, were utterly impracticable in winter. They were therefore carelessly protected, and the lord of the domain was abiding in indolent security in his castle. Montrose's stanch follower, Macdonald of Kolkitto, had been absent raising men in the far north-west, and had returned with a large reinforcement. Thus strengthened, Montrose resolved to try the mettle of his Highlanders by a winter raid in the territories of the dreaded MacCallum Mohr. He was so expeditious and silent that he all but caught his great enemy

[1] Ibid., 407, 408.

in his lair. Argyle escaped by sea. From December 1644 to February 1645 the poor people of his country were scourged and harassed by relentless marauders. Then these returned again home with their booty, and Montrose's policy became that of the fugitive.

Argyle was gathering forces at Inverlochy, under the shadow of Ben Nevis, in the north-west corner of his territory. From another side the Lord Seaforth threatened Montrose with a large body of the Covenanters of the far north. The exigency was one to try the resources of a military genius, and it was duly met. He carried his small army, winter as it was, over those terrible mountains, where travellers sometimes die of cold in summer, and pounced on Argyle, abiding in security on the level banks of Loch Linnhe. The surprise was complete ; and Argyle's people, after an ineffective resistance, fled to the hills. Argyle himself has been bitterly reproached for betaking himself to his galley instead of remaining at the head of his people. The act was stigmatised as cowardice. In truth, however, a man in Argyle's position had heavy difficulties to contend with. He had great ability, and much of this ability was shown in controlling men ; but it was in civil policy, not in war. He was not naturally a soldier ; yet in that day there was no transferring the military command of a clan—nature had pointed out the leader, and no other could supply his place. His political conduct was not that of a coward, and his death was heroic.[1]

After having kept his small army alive and out of sight in the northern Highlands for some weeks, we find Montrose, in the beginning of April, pouncing suddenly on the town of Dundee. The outline of the doings of his little savage army there makes it not uncharitable to suspect, that had a minute chronicler like Spalding been present,

[1] Baillie, when telling how he threw his lot in with the Covenant party at the Assembly of 1638, when the step was dangerous, says: "It has been the equity of our cause which has been the only motive to make that man, in that necessar time, to the extreme hazard of his head and all he possesses, to encourage us openly by his assistance." —Letters, i. 146.

he might have given even a drearier picture of pillage and cruelty than the sack of Aberdeen. The stay, however, here was brief. The Committee of Estates had thought it necessary to bring over General William Baillie to oppose Montrose's career. It will be observed that as yet he had not been face to face with any commander who was a trained soldier. A small detachment of rank and file seems to have been at the same time sent from the army in England, for we have frequent reference to a thousand trained soldiers belonging to the army of the Covenant.

By the presence of these and of Baillie, and another old soldier, John Hurry or Urry, Montrose's nimble motions were guided. They were at the same time influenced by the fluctuations in his own army. When he had three thousand men in hand, he could haunt the Covenanting forces in the low country; but when he had only a third of that number, he had to keep the mountains, where he was inaccessible. He was at one time joined by a body of the Gordons; but they disappeared suddenly one day, and neither the commander nor any other person could discover why they deserted. In May he found himself in Morayland with three thousand men, in face of Urry, who had with him the best troops of the Covenanting army. Montrose's policy was the defensive; and he made a small fortified camp of the village of Auldearn, in the county of Nairn. Here on the 9th of May he was vigorously attacked by Urry, who threatened to force his left, where Kolkitto commanded. Some mistake made by a subordinate commander on Urry's side tempted Montrose to try the aggressive. He ordered his whole force to throw themselves on the enemy, and again the Highland rush was effective in scattering them.[1] Urry carried his

[1] Spalding says: "This overthrow was attribute to ane Crowner or Major Drummond, who wheeled about unskilfully through his own foot, and brake their ranks, whereby they were all slain by the enemy; and for the whilk, by council of war holden thereafter at Inverness, he was shot, standing on his feet, but not at ane post. There was reckoned to be slain here at this bloody battle above two thousand men to Hurry, and some twenty-four gentlemen hurt to

broken forces to join Baillie, and both ascended the valley of the Don in Aberdeenshire, where Montrose appeared to be retreating before them. He ascertained however, that though the two experienced generals were in the army, the thousand trained troops were elsewhere, under the command of the Lord Lindsay.

He took up a strong position near the village of Alford. It was a low hill westward of the village, forming a ridge running east and west, and rising towards the west, where it has a full view of the surrounding country. The ground whence it rises is now well cultivated, but it was then a marsh or bog. The Covenanter generals believed that he was avoiding battle, and had the temerity to cross the river to attack him. The two armies were about equal in foot, neither having more than two thousand; but the Covenanters had a considerable superiority in horse. The fight was an obstinate one, but in the end the Covenanters were again beaten. Montrose's name was now to the Covenanters an object of terror and exasperation. There was a general feeling that the faithful must rise throughout the land and suppress him. In Fifeshire—an early stronghold of the Covenanters—the old spirit was rekindled, and burned vehemently. One army was fast gathering there, and another among the western Whigs, where the Covenanting spirit was of more recent planting, but had been of rapid and powerful growth. It was now the policy of Montrose to strike a decided blow at the existing army before it was enlarged by the new-comers. He was in a fitter condition for such a feat than he ever had been before, since the fame of his two victories in the northern Lowlands had penetrated far through the mountains, and brought him reinforcements from the distant clans of the west of Inverness-shire and Ross-shire.

The movements of the two forces had now shifted the theatre of war to the south side of the Forth, nearly two

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Montrose, and some few Irish killed—which is miraculous, and only foughten with God's own finger, as would appear, so many to be murdered and cut down upon the ane side, and so few on the other." —Memorials, ii. 474.

hundred miles from the scenes of the late battles. Montrose kept within the range of the Campsie Hills, where he could at any time secure himself. Baillie, his antagonist, had the larger force—six thousand in all, including the valued thousand who had been thoroughly trained to arms. Whether it was owing to Baillie's own imprudence, or to the conceited obstinacy of the Committee of Estates, who controlled him, the mistake was again made of supposing that Montrose shunned a battle. For the purpose of finishing the war before the enemy was reinforced, he courted a meeting, provided it were at his own time and place. The valley behind the small town of Kilsyth, where he waited for his enemy, is now a small lake or reservoir for supplying water to works close by. But enough of it is visible to show that it was excellent ground for Highland warfare. The battle began with some legitimate fighting, in which the Ogilvies and other Lowland Cavaliers took part. But the Highland onset was again tried at the right time. The human torrent rushed down the brae with a wild roar or yell, and carried all before it. As at Tippermuir, there was a long and bloody pursuit. The slaughter was far beyond any usual proportion to the number engaged. It was a boast, indeed, of the Cavaliers, that not one unmounted Covenanter escaped alive. The defeated general maintained that he was not responsible for the calamity, that the Committee of Estates had interfered so with his functions as a military commander, that he resolved to let them command in reality, abiding in his place only that he might do his best under them to save the army from destruction at a juncture when "the loss of the day would be the loss of the kingdom."[1]

[1] Baillie's Letters, ii. 421. Argyle, a bad soldier, appears to have dictated in name of the committee: "My lord marquis asked me what was next to be done. I answered the direction should come from his lordship and those of the committee. My lord demanded what reason was for that. I answered I found myself so slighted in everything belonging to ane commander-in-chief, that for the short time I was to stay with them I should absolutely submit to their direction and follow it." So far as the loss of the battle was caused

It now appeared as if Scotland were regained for King Charles. The prisons were emptied of the Cavaliers confined in them, and everywhere the Royalists ruled the day. Montrose and his assistants have been praised for their moderation in not exhausting the proper harvest of victory and subjugation. But they were on a perilous elevation. All the strong places were still in the hands of their enemies. The Covenanters had lent to England, and might recall, an army worth six times as much as any one which Montrose had defeated. He had only shown, what might have been presumed, that Highlanders trained to fighting, though in a bad school, made better fighters than Lowlanders not trained to war at all. He had the merit, certainly, of bringing into effect this peculiar force, hidden until his day; but he had not yet measured swords with a professional soldier at the head of effective troops.

To give full effect to Montrose's military strength, he received that title of viceroy which had been given to Prince Rupert, and stood nominally in the position of absolute ruler of Scotland. The danger that all might be overturned lay in the south, and unconsciously he went to meet it. He was very desirous to recruit his army from the Borders, and to obtain from that country some serviceable horses. To this end, and that he might be near the friends of the cause in England, whom he was to aid when Scotland was all settled, he moved southwards. This was not acceptable to the Highlanders, who had ever a reluctance to trust themselves far from the protection of their own mountains. It was natural to them to return with their booty after a victory, especially if there was no immediate prospect of more fighting. They therefore went off in considerable bands.

The Scots army was before Hereford when a pressing demand for their assistance at home reached them from the Committee of Estates. The detachment sent was

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by mismanagement, he attributed it to "our removing from that ground whereon we stood first embattled, being so near an enemy who had sundry advantages of us."—Ibid., 420-423.

entirely cavalry, for the sake of expedition. They were commanded by David Leslie. They entered Scotland at Berwick, where the Committee of Estates and other eminent political persons were living as refugees from Edinburgh, where the plague then was rife. Thus Leslie got the best information as to the condition of the country and the steps he was expected to take. He moved northward until he reached Gladsmuir, near Prestonpans. He expected here to find and fight his enemy; and this is not the only occasion in history in which we may find a battle expected as likely to occur on a spot where a battle does occur in a later chapter of history. There seem to be certain physical conditions which practical men recognise as the spots where opposing armies are likely by the force of events to meet in battle. Here he learnt that Montrose was still on the Border, and he resolved to wheel round and fall on him by surprise.

On the night of the 12th of September 1645, Montrose set his headquarters in the town of Selkirk, while his attenuated army was encamped on Philiphaugh, about two miles to the westward. As the name "haugh" imports, the spot was a diluvial flat plain on the side of a river; the river was the Ettrick, and the place a little above its junction with the Tweed. There was a wood close by called the Harwood, which was said to protect the army from any surprise from the west. But in truth no precautions were taken against a surprise. That was a contingency deemed beyond the range of possibilities, otherwise Montrose could never have placed Highland troops on a flat plain, knowing, as he must have known, how eminently their method of fighting demands the command of the ground. There was abundant mountain ground hard by, and the selection must have been made for ease and convenience, not for defence.[1] So imperfect was Montrose's organisation of scouts, or so perfect Leslie's

[1] A small obelisk marks the centre of the field. It contains the following inscription, curious as a piece of peculiar literature: "To the memory of the Covenanters who fought and fell on the field of Philiphaugh, and won the battle there, A.D. September 13, 1645."

organisation for intercepting them, that he was that night posted within six miles of the doomed army. Montrose was writing despatches to the king through the night and into the morning, when he heard firing. He galloped to his army in time to order a despairing resistance. Mist favoured the assailants; and while a large body of horse charged from the Selkirk side, another band wound round by the spurs of the hills to attack the enemy from the west. All that Montrose's generalship could achieve was to retreat with a small portion of his force. It has been indignantly charged against the victors, that they put all their prisoners to death. The charge is likely to be true; for they were either Highland or Irish, and it was the custom so to treat the descendants of the old Scots race, on whichever side of the Channel they resided.

Montrose made arduous efforts to reconstruct his army, but in vain. It had consisted of a class who eminently require success to keep them in a fitting state of ardour for the field. He had to abandon all his efforts and leave the country, when the king put himself into the hands of the Covenanters. Such was the career of Montrose, covering a year and twelve days. Of him it cannot be said that he suffered from oblivion, like the heroes before Agamemnon. Perhaps no military career has ever had a literary commemoration so disproportioned to its length and fruitfulness. The successive tributes to his memory were begun by his chaplain Wishart, who told his career in Latin for the benefit of the learned world, while it was translated into the vernacular for home use. It was his fortune or his fate that his memory, as a chivalrous hero, was the object of devotion to a party; and the commander, who was defeated on the only occasion when he met face to face with another commander of repute, had to be maintained as high up in the temple of fame as the greatest warriors in the world's history. For the literature devoted to such causes there are many allowances to be made; and the spirit that pervades it will meet a kindly appreciation by all who peruse the latest

tributes heaped on the memory of Montrose by one allied to him in blood, and himself a chivalrous member of a chivalrous house. The secret of the interest we all take in such literature, whether it is on our own side or not, is something akin to that which we take in the warm unselfish attachments where, right or wrong, the man stands by his friend.

CHAPTER LXXIV.

CHARLES I.

WESTMINSTER ASSEMBLY OF DIVINES—CONSTITUTION—RESPONSIBILITY TO PARLIAMENT—ELEMENTS OF OPPOSITION AND DISPUTE—POLICY OF INSTITUTING THE ASSEMBLY—OCCUPATION FOR THE CLERGY—BAILLIE'S PICTURE OF THE OPENING—FUNCTION OF THE SCOTS COMMISSIONERS—THEIR INFLUENCE—THE PASSING OF THE COVENANT—THE BROWNISTS AND INDEPENDENTS—PARLIAMENT AND THE DIVINE RIGHT OF PRESBYTERY—RIGHT OF DISCIPLINE—THE DIRECTORY OF WORSHIP—THE VERSION OF THE PSALMS—ADOPTION IN SCOTLAND—THE CONFESSION OF FAITH—THE CATECHISMS—CONTEMPORARY AFFAIRS IN SCOTLAND—EXECUTION OF HADDO AND SPOTTISWOOD—THE SCOTS ARMY IN ENGLAND—THE KING JOINS IT—CONTROVERSY WITH HENDERSON—THE KING GIVEN UP TO THE PARLIAMENTARY PARTY—THE TREATY OF NEWPORT—THE ENGAGEMENT—HAMILTON'S MARCH TO PRESTON—HIS DEFEAT—THE MAUCHLINE TESTIMONY—THE WHIGAMORES—CROMWELL'S ARRANGEMENT WITH ARGYLE AND THE ESTATES—THE ACT OF CLASSES—EXECUTION OF THE KING, AND PROCLAMATION OF CHARLES II.

CONTEMPORANEOUSLY with these stirring events, much interest was felt in Scotland in the deliberations of a community of grave and reverend persons assembled in England. The sayings and doings of the Assembly of Divines at Westminster deserve a fuller and closer history than they have yet obtained. There is no intention of supplying the deficiency here, since that institution belongs to the whole empire, or if it is to be told in connection with a part of it, it belongs to England.[1] Some reference to its

[1] We have two books, each containing, at considerable length, a narrative of some of the debates and transactions of the Assembly during a portion of their long session. The one is, 'Notes of the

influence, however, belongs to Scotland ; for this influence existed long after its laws and institutions had ceased to be an element in the constitution of Church and State in England. Indeed, what the Westminster Assembly

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Debates and Proceedings of the Assembly of Divines and other Commissioners at Westminster,' by George Gillespie, a celebrated minister, often referred to in our narrative. To those not practically engaged in polemics or Biblical criticism, this is the driest of all reading. It condenses, and with considerable skill, the purport of long wordy debates, giving their very essence in hard criticism on the Scriptures in the original Greek and Hebrew, as lending support to either side in the controversies about articles of belief and of Church government. The whole is here and there illuminated by a meteoric contribution from the brilliant scholarship of Selden. It was printed from the original manuscript in 1846, as part of a collection called 'The Presbyterian's Armoury.'

The other book is the 'Journal of the Assembly of Divines,' by Dr John Lightfoot. It makes the thirteenth and last volume of the edition of his works printed in 1822-25. This affords us a closer view of the incidents of the debate and the individuality of the speakers than the other. Thus :—

"Then fell we upon another point or clause—viz., 'It belongeth to the pastor's office to pray with and for his people.'

"Here Mr Herrick urged that it should be expressed, 'That it is the pastor's office also to curse upon occasion ;' but this was waived for the present."—P. 45.

So when Selden, as was his wont, would upset a whole fabric of debate by showing that it proceeded on some ignorance of law or of Hebrew :—

"Mr Selden.—'By the laws of England none can ordain but only a bishop with some presbyters'" (then a citation of authorities).

"'And whereas our Covenant swears out the *regimen ecclesiæ*, this that we have in hand is not *regimen ecclesiæ ;* and we have sworn to preserve the laws of the kingdom, of which this is one.'

"This speech cost a great deal of debate, and had many answers given it; and, among other things, Mr Henderson, and the Lord Mackland [Maitland] after him, took it to heart, and expressed their resentment of it, that there had been too much boldness with the Covenant."—P. 121.

On the question of the presence of the people at excommunication, "Sir Archibald Johnston gave this example, that a murderer in Scotland is by law to be executed between sun and sun in an open market-place, *coram populo.* Yet this tieth not the people to any interest in his execution, nor tieth *him* so to be present—and so is it with this case."—P. 139.

On 29th January 1644 we have a debate, "with great heat," about

enjoined is still matter of living practice and discussion through all but a small portion of ecclesiastical Scotland.

The Assembly was constituted by an ordinance of the Lords and Commons of England on the 12th of June 1643. Finding the existing Church government by bishops and other grades to be pernicious, it is resolved "that the same shall be taken away, and that such a government shall be settled in the Church as may be most agreeable to God's holy Word, and most apt to procure and preserve the peace of the Church at home, and nearer agreement with the Church of Scotland, and other Reformed Churches abroad. And for the better effecting hereof, and for the vindicating and clearing of the doctrine of the Church of England from all false calumnies and aspersions, it is thought fit and necessary to call an Assembly of learned, godly, and judicious divines, to consult and advise of such matters and things touching the premises as shall be proposed to them by both or either of the Houses of Parliament, and to give their advice and counsel therein to both or either of the said Houses, when and as often as they shall be thereunto required."

The members of this Assembly were not left to selection through any ecclesiastical organisation. They were named by Parliament. They consisted of ten Peers and twenty members of the Commons as lay assessors, and a hundred and twenty-one clergymen. The constitution of the body was shifted from time to time, according to the rate of attendance and other incidents; but Parliament never quitted a firm hold on its constitution and power. The Prolocutor or president, Dr Twiss, was named by Parliament; and when difficulties and disputes arose, they were to be referred to Parliament. By the same authority, certain commissioners for Scotland were invited to attend

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the power of the civil magistrate in matters ecclesiastic, Gillespie fighting with Nye, when the Lord Maitland stood up and "related the news of the Scots now being in the kingdom; that they marched in on that day that the public thanksgiving was at Christ's Church, and that on Wednesday last they were within seven miles of Alnwick."—P. 130

the discussions. There were from the clergy, Baillie, Henderson, Rutherford, and Gillespie—all men with gifts that might make them remarkable in any intellectual arena. Robert Douglas, the reputed grandson of Queen Mary, was named as a fifth, but he never attended. For the lay elders there was the redoubted Johnston of Warriston, the most able and zealous of a group of lay statesmen—they were not in all, perhaps, above three or four —who were as thorough warriors in the ecclesiastical department of the great struggle as the clergy themselves. Along with him were Lord Cassilis and Lord Maitland, in later times more renowned than illustrious as Duke of Lauderdale. There were afterwards added Argyle, Balmerinoch, and Loudon, with Robert Meldrum and George Winram.

These, with all others there present, were under the control of the Parliament. In Baillie's slightly indignant words, "Here no mortal man may enter to see or hear without ane order in wryte from both Houses of Parliament;"[1] and in acknowledging a comforting assurance from ecclesiastical sympathisers in Holland, he says: "As for returning an answer, they have no power to write one line to any soul but as the Parliament directs, neither may they importune the Parliament for warrants to keep foreign correspondence."[2] There can be no doubt that the organising of this Assembly was a wise act. It may be questioned if ever a large deliberative body acted with the sagacity that predominated on this and other occasions in the Long Parliament. The country was all on fire with religious fervour. The Parliament had grave and momentous work before it, and it was well, if possible, that this work should be done without risk of intrusion by the elements of religious contention. It would be wise to have all this perilous matter cleared away and removed into a safe place. The invitation to the various zealots virtually was: You will be free to open up all the outlets of talk and discussion; nay, you shall exercise your powers in all honourable distinc-

[1] Letters, ii. 107. [2] Ibid., 186.

tion, and with every facility and appliance for exciting and protracting discussion, provided you take it all to a place apart, and leave us unmolested to discuss our civil business.

The arrangement was accomplished with a dexterous subordination of the ecclesiastical to the civil authority. The hand of the State was laid on it all with such firm precision, that no movement for the establishment of a separate spiritual power was practicable; and this was done in a shape admitting no ground for complaint. No power of any existing institution was usurped. It was a voluntary assembling. None were bound to attend whose conscience revolted at the authority assumed by the Parliament—these might remain at home for conscience' sake, and some did so. Still it was safe to calculate on Churchmen being influenced by the seductive charms of debate. The attraction would strengthen day by day as the wordy war went on, and small scruples would be forgotten. So it was; although a few were able to abstain, the centre of debate aggregated to it enough of the inflammable material to leave the Parliament in safety.

The members of the Assembly, indeed, held meeting after meeting with a growing enthusiasm, the reflection of which may be found in the picturesque opening scene from the pen of our old friend Baillie. It will be seen from this description how completely the order of business in the Assembly was modelled on the forms of the English House of Commons—a system marvellously beautiful and complete, and, for compelling a numerous assembly to act with freedom and order, beyond all comparison the finest organisation that human genius has accomplished. The description is the more clear, that it was made by one who had been trained in another school, and especially noticed the matters in which the two differed from each other. He could not but see and acknowledge the merits of the English system; yet we find him longing somewhat for the impetuous action of his own people, when he says: "They follow the way of their Parliament.

Much of their way is good, and worthy of our imitation, only their longsomeness is woeful at this time, when their Church and kingdom lies under a most lamentable anarchy and confusion."

"The like of this Assembly I did never see, and, as we hear say, the like was never in England, nor anywhere is shortly like to be. They did sit in Henry the VII.'s Chapel, in the place of the convocation; but since the weather grew cold, they did go to Jerusalem Chamber, a fair room in the Abbey of Westminster, about the bounds of the college forehall, but wider. At the ane end nearest the door, and both sides, are stages of seats as in the new Assembly House at Edinburgh; but not so high, for there will be room but for five or six score. At the upmost end there is a chair set on a frame, a foot from the earth, for the Mr Proloqutor, Dr Twisse. Before it on the ground stands two chairs for the two Mr Assessors, Dr Burgess and Mr Whyte. Before these two chairs, through the length of the room, stands a table, at which sits the two scribes, Mr Byfield and Mr Roborough. The house is all well hung, and has a good fire, which is some dainties at London. Foranent the table, upon the proloqutor's right hand, there are three or four ranks of forms. On the lowest we five do sit. Upon the other, at our backs, the members of Parliament deputed to the Assembly. On the forms foranent us, on the proloqutor's left hand, going from the upper end of the house to the chimney, and at the other end of the house, and backside of the table, till it come about to our seats, are four or five stages of forms, whereupon their divines sit as they please, albeit commonly they keep the same place. From the chimney to the door there is no seats, but a void for passage. The Lords of Parliament used to sit on chairs, in that void, about the fire. We meet every day of the week but Saturday. We sit commonly from nine to one or two afternoon. The proloqutor at the beginning and end has a short prayer. The man, as the world knows, is very learned in the questions he has studied, and very good, beloved of all, and highly esteemed; but merely bookish,

and not much, as it seems, acquaint with conceived prayer, and among the unfittest of all the company for any action; so after the prayer he sits mute. It was the canny convoyance of these who guides most matters for their own interest to plant such a man of purpose in the chair. The one assessor, our good friend Mr Whyte, has kept in of the gout since our coming; the other, Dr Burgess, a very active and sharp man, supplies, so far as is decent, the proloqutor's place. Ordinarily there will be present above threescore of their divines. These are divided in three committees, in ane whereof every man is a member. No man is excluded who pleases to come to any of the three. Every committee, as the Parliament gives order in write to take any purpose to consideration, takes a portion, and in their afternoon meeting prepares matters for the Assembly, sets down their mind in distinct propositions, backs their propositions with texts of Scripture. After the prayer, Mr Byfield the scribe reads the proposition and Scriptures, whereupon the Assembly debates in a most grave and orderly way. No man is called up to speak; but who stands up of his own accord, he speaks so long as he will without interruption. If two or three stand up at once, then the divines confusedly call on his name whom they desire to hear first: on whom the loudest and most voices call, he speaks. No man speaks to any but to the proloqutor. They harangue long and very learnedly. They study the questions well beforehand, and prepare their speeches; but withal the men are exceeding prompt, and well spoken. I do marvel at the very accurate and extemporal replies that many of them usually do make. When upon every proposition by itself, and on every text of Scripture that is brought to confirm it, every man who will has said his whole mind, and the replies and duplies and triplies are heard, then the most part calls, 'To the question.' Byfield the scribe rises from the table and comes to the proloqutor's chair, who from the scribe's book reads the proposition, and says, 'As many as are in opinion that the question is well stated in the proposition, let them say I.' When 'I' is heard, he says, 'As many as think otherwise, say No.' If the difference of I's and

and No's be clear, as usually it is, then the question is ordered by the scribes, and they go on to debate the first Scripture alleged for proof of the proposition. If the sound of 'I' and 'No' be near equal, then says the proloqutor, 'As many as say I, stand up.' While they stand, the scribe and others number them in their mind; when they sit down, the No's are bidden, and they likewise are numbered. This way is clear enough, and saves a great deal of time, which we spend in reading our catalogue. When a question is once ordered, there is no more debate of that matter; but if a man will vaige, he is quickly taken up by Mr Assessor, or many others, confusedly crying, 'Speak to order, to order.' No man contradicts another expressly by name, but most discreetly speaks to the proloqutor, and at most holds on the general—the reverend brother, who lately or last spoke, on this hand, on that side, above, or below."[1]

With the Scots the most interesting business of this Assembly was the Covenant, and it was among the first to claim attention. We have this account of the sitting on the 8th of August 1643:—

"The Parliament recommended the Covenant to the Assembly to take into consideration the lawfulness of it. The first article of it held us all the day, for we sat till within night. This clause bred all the doubting, 'I will endeavour the preservation of the true Reformed Protestant religion in the Church of Scotland, in doctrine, discipline, worship, and government, according to the Word of God.' It was scrupled whether the last words, 'according to the Word of God,' were set for limitation—viz., to preserve it as far as it was according to the Word,—or for approbation—viz., as concluding that the Scotch discipline was undoubtedly according to the Word. Therefore, after a day's debate almost, it was resolved that this explanation should be annexed to it, 'as far as in my conscience I shall conceive it to be according to the Word of God.' This was concluded about five o'clock afternoon.

[1] Letters, &c., ii. 107-109.

"Then fell we upon the second article of it, 'That without respect of persons, I will endeavour, according to my calling, to extirpate Popery, prelacy, heresy, schism,' &c., when Dr Burgess, who had been exceptious of all others all the day against the first article, began again to cavil about this clause, 'Without respect of persons to extirpate Popery'—it being a very nice business to know what Popery is, and what is meant by extirpation, and I know not what—which gave occasion to others to take the same exceptions, and so hold long debates; and it was very clear that we had parted and gone home unresolved of the matter, but at last we brought it to the vote that the words were fit to stand as they were.

"Tuesday, August 29, we fell upon these words, 'prelacy, superstition, heresy, schism,' &c.; and Dr Burgess began again to except every one of the words as doubtful—especially the word 'prelacy' was thought by others to be too doubtful, therefore the explanation of it was concluded on, 'the government by archbishops, bishops,' &c.; and about noon, with much ado and great retarding, we had finished the second article, and the Assembly adjourned till afternoon.

"In the afternoon the rest of the Covenant was despatched with much ado; for Dr Burgess continued in his captiousness, and retarded as much as possibly he could. In fine, it was concluded upon and ordered that the Assembly should on Thursday morning, by their prolocutor, they attending him to the House of Commons, humbly present their advice to the Parliament, that in point of conscience the Covenant may lawfully be taken with those explanations which are forementioned."[1]

To the Scots Covenanters the calling of this Assembly, and the adoption of the Solemn League and Covenant as revised by it, seemed to be rapidly bringing on the consummation of that great scheme of Divine Providence destined to establish the Presbyterian polity over all mankind. The government of the Church by a General Assembly, synods, presbyteries, and kirk-sessions, was the

[1] Journal of the Assembly of Divines; Lightfoot's Works, xiii. 11.

divine form of Church government, and all others must dissolve before it. Here had been completed a great step —England and Ireland had been cleansed of the Popish and prelatic rubbish left at the Reformation, and were immediately to be united to Scotland in one Presbyterian community. The English Presbyterians—a large body with many learned ministers among them—indulged themselves in the same conclusion.

The Parliament, however, had other views, and skilfully prepared for the consummation. There lurked at that time, in the class of men who made the Parliament and the influential circles, a disinclination to reconstruct any strong priesthood. Some were influenced by religious motives, others by political; but their general temper was, that as the keys of St Peter had been thrown down in the late scuffle, they were not to be picked up again by the nearest hand. Accordingly the personal structure of the Assembly placed within it elements of opposition which had an appearance of impartiality, but were of course infinitely provoking to those who demanded supremacy.

The Brownists, Independents, or Congregationalists, were a large body in England, and had been growing, even in Scotland, too rapidly for the peace of the Covenanting party. Their principle was, that there should be no combined system of Church government, whether prelatic or Presbyterian, but that each Christian congregation should be a Church in itself. It was a system that seemed to embody the very abstract spirit of toleration, by bringing the power of ecclesiastical tyranny down to absolute zero. So it seemed in Britain, where the Independents were driven to the policy of self-defence; but they became very sufficient ecclesiastical tyrants on their own ground in New England, where they dutifully hanged every man who wore a broad-brimmed hat, or used the personal pronoun in an antiquated fashion.[1] These men were not

[1] Baillie, mentioning an instance where some preachers of false doctrine in New England narrowly escaped death and were sentenced to slavery, puts the difference aptly enough: "The Independents

powerful in organisation for constructive purposes, for that was not their mission or the tenor of the polity sought by them; but they were very useful for the purpose for which they had been placed in the Assembly—the interruption of the constructive work of others.

The Independents were but a small party in the Assembly—it might have given alarm to have increased their number. They were there, indeed, just as Episcopalians and some representatives of peculiar sects were there—that they might be heard for their respective causes. They were to be tolerated in debate, as it is said the present House of Commons will tolerate any speaker who, however offensive his opinions may be to the House, represents any considerable body of British subjects, or any important national interest. Among the Independents, however, were men whose genius and zeal made them powerful in debate and troublesome in expedients. Five of the most eminent of these—Nye, Bridge, Boroughs, Goodwin, and Sympson—were ever spoken of as "the five dissenting brethren," when the Presbyterians bewailed the troubles they had to endure in the Westminster Assembly.

Another element of interruption was carefully planted in this Assembly in the body called in Presbyterian language "Erastians." They belonged to a wide range of opinions, the term being applied to all those who, whether they desired to support a Christian Church or not, would not admit that in its outward form and government it was

here, finding they have not the magistrate so obsequious as in New England, turn their pens, as you will see, &c., to take from the magistrate all power of taking any coercive order with the vilest heretics."—Letters, ii. 184. The case of New England, however, was very peculiar. The colonists had not only gone there for freedom of conscience, but had sought the wilderness to be free from the contaminating presence of the unholy. When, therefore, they were intruded on there, and especially by those who did so systematically and to give offence, this was akin to persecution. The Quakers, by sedulous cultivation, had reached a marvellous advancement in the art of provocation; and when they heard of a place where the heterodox were hotly persecuted, they concluded that such was the spot whither they were constrained to go and lift up their testimony.

a divine institution endowed with powers independent of the State. They consisted in great measure of what Baillie calls "worldly profane men, who were extremely affrighted to come under the yoke of ecclesiastical discipline." The working majority of the English Parliament was Erastian. Hence it supported the Independent party, as less mischievous than the Presbyterian. At the same time it sent into the Assembly a portion of itself—a small body, but infinitely powerful in intellect. It contained Whitelocke and Sir Harry Vane, but greatest of all, Selden. He knew more of the history, practice, and law of the Christian Church in all parts of the world, than all the rest of the Assembly. He had the power which such knowledge confers; and when precedent was appealed to, as it could not but be, and that frequently and vehemently, he was absolute lord of the debate.

In the midst of these opposing forces the Scots commissioners did their part with great address. The Assembly having been constructed entirely by the English Parliament, had no authority in Scotland. The Scots were invited to sit as members with votes; but this honour they very wisely declined—in any vote taken they would be only as one to fifteen. They took the position of representatives of the Church of Scotland, and in attendance in London was a considerable committee from their own Estates at home to instruct and support them. Thus they held the position of ambassadors from one supreme power to another. They might, as representing Scotland, give up any point to the Assembly; but their country could not be compromised by the resolutions of that body. There was great ability in the small group of Scots commissioners. Warriston could not cope with Selden in knowledge about the practice of the Jews or the early Christian Church; but he had gone through great practice as an ecclesiastical lawyer, and as the custodier of the records of the Kirk he knew things that no general scholar had the means of knowing. Henderson and Gillespie were men of genius and great eloquence, who obtained a high celebrity not only at home but in England as popular preachers. Baillie was not only a

great scholar, but endowed with a potent genius for diplomacy. We have seen that he was a thorough Presbyterian enthusiast; but though he saw that God was working for the establishment of the Presbyterian organisation all over the world, he felt that the policy and ability of man was one of the instruments by which it was foreordained that this consummation was to be carried.

The Independents and many of the "Sectaries" were with them in points of pure doctrine, and there was a prospect that in the matter of forms of worship there might be a reasonable compromise. The great point of difference was Church government, and this it was the great object of the Scots commissioners to defer until the hand of Providence should improve their position for enforcing that Presbyterian organisation which was of divine right. On the question of lay eldership we find Baillie saying: "This is a point of high consequence, and upon no other we expect so great difficulty except alone on Independency; wherewith we purpose not to meddle in haste till it please God to advance our army, which we expect will much assist our arguments." And again: "The Independents, being most able men and of great credit, fearing no less than banishment from their native country if presbyteries were erected, are watchful that no conclusion be taken for their prejudice. It was my advice—which Mr Henderson presently applauded and gave me thanks for it—to eschew a public rupture with the Independents till we were more able for them. As yet a presbytery to these people is conceived to be a strange monster. It was our good, therefore, to go on hand in hand so far as we did agree against the common enemy, hoping that in our differences, when we behoved to come to them, God would give us light. In the mean time we would essay to agree upon the Directory of Worship, wherein we expected no small help from these men to abolish the great idol of England—the Service-book—and to erect in all the parts of worship a full conformity to Scotland in all things worthy to be spoken of."[1]

[1] Letters, ii. 111, 117.

In any difference with the English Presbyterians the Scots commissioners were strong, and they knew how to use their strength. If it was the Presbyterian order of Church government that these English desired really to have, then in Scotland they would find it in all its fair proportions. There it had long been elaborated and worked out—all objections sifted, all defects removed. It was not as if they came forward with general principles to be resolved into practical detail by debate. No morsel of the system could now be counted an open question. To differ from any part of it was to censure and attack their brethren of the Church of Scotland. Although the English Presbyterians felt and admitted the strength of this position, it was nought to the Independents. These, though few in number, were watchful, and provokingly untiring in debate. The majority were ever caught up by them in such manner as the following: "We were next settling on the manner of the prayer—if it were good to have two prayers before sermon, as we use, or but one, as they use; if in that first prayer it were mete to take in the king, Church, and sick, as they do, or leave those to the last prayer, as we. While we were sweetly debating on these things in came Mr Goodwin, who incontinent essayed to turn all upside down, to reason against all directories, and our very first grounds; also, that all prefacing was unlawful."[1] And in the midst of such minute separate provocations the much-enduring chronicler bursts occasionally into a loud general wail, such as this: "In this long anarchy the sectaries and heretics increase marvellously. Yet we are hopeful, if God might help us, to have our presbyteries erected as we expect shortly to have them, and get the chief of the Independents to join with us in our practical conclusions, as we are much labouring for it, and are not yet out of hope—we trust to win about all the rest of this wild and enormous people. However, for the time, the confusions about religion are very great and remediless."[2]

The Presbyterians were desirous to have the Independ-

[1] Baillie's Letters, ii. 123. [2] Ibid., 172.

ents with them, but in the end were strong enough in the Assembly far to outvote them. "Truly," says the same chronicler, "if the cause were good, the men have plenty of learning, wit, eloquence, and, above all, boldness and stiffness, to make it out; but when they had wearied themselves and overwearied us all, we found the most they had to say against the presbytery was but curious idle niceties; yea, that all they could bring was no ways concluding. Every one of their arguments, when it had been pressed to the full in one whole session, and sometimes in two or three, was voyced, and found to be light unanimously by all but themselves."[1]

No other conclusion could have been anticipated, and it is creditable to Baillie's taste that it is so courteously expressed. Perhaps, too, it may be counted creditable to the overwelming majority that they heard the minority so patiently. The victory, however, was of little avail; for adverse influences were waxing strong in the power that would control the Assembly. When the first propositions went up from the Assembly to Parliament, the Independents published a renowned appeal, called the "Apologetical Narration," which helped mightily to increase the growing disinclination towards the re-establishment of any organised Church. Parliament had much to do, and kept the Assembly hanging on in expectation of a concurrence in its proceedings. On the matter of a Directory of Worship the Houses did not trouble themselves. A formula of ordination was altered by them; but on the indignant remonstrance of the Assembly the alterations were withdrawn. Parliament would not quarrel with the clergy on a matter which almost entirely concerned themselves. But when an organisation was sent up for carrying into effect, by discipline over the laity and otherwise, the divine right of Presbyterian Church government, it encountered a quiet but very obdurate resistance. The Parliament did not so much object to the organisation itself, as to the source from which its power was to come, as shortly defined to them in the pro-

[1] Baillie's Letters, ii. 145.

position that "the Lord Jesus, as King and Head of His Church, hath therein appointed a government in the hand of Church officers distinct from the civil magistrate."

The Parliament were ready to concede the greater part of the organisation proposed, provided the two Houses took the place of "King and Head of the Church," so as to be able to alter the organisation from time to time if it did not work to their satisfaction. After much cavilling the two Houses uttered their celebrated "ordinance for settling of Church government" of the 14th March 1646. It began with pious invocations and devout thanks for assistance from above, with a sanctimonious prolixity rarely exceeded in the utterances of professional divines. Coming to the practical part, it began with much promise: "By the merciful assistance of God, having removed the Book of Common Prayer, with all its unnecessary and burdensome ceremonies, and established the Directory in the room thereof; and having abolished the prelatical hierarchy of archbishops, bishops, and their dependents, and instead thereof laid the foundation of a presbyterial government in every congregation, with subordination to classical, provincial, and national assemblies." So far well; but the few words in which the clause came to an end told the Covenanters that the power so temptingly described was not for them. The words following on the subordination of three grades of assemblies were simply, "and of them all to the Parliament."

This ordinance, containing twenty-three articles or sections, completed a previous ordinance for the establishment of discipline, and especially for excluding persons convicted of scandalous crimes from ecclesiastical privileges. It carried its offence on its forehead by declaring its object to be "the avoiding, as far as possible may be, all arbitrary power; and that all such cases wherein persons should be suspended from the sacrament of the Lord's Supper should be brought to the cognisance and pass the judgment of the Parliament." It was felt desirable to arrange, "without having recourse to the Parliament itself from all parts of the kingdom, upon every

such emergent case, which might prove troublesome and tedious." Elderships, therefore, were to be elected by congregations, under the supervision of the Parliamentary "Tryers of Election of Elders." The scandalous offences on which these elders should in the first instance judge were closely defined by Parliament; and it was provided that "in every province persons shall be chosen by the Houses of Parliament that shall be commissioners to judge of scandalous offences not enumerated in any ordinance of Parliament." Over all these was an ultimate recourse to Parliament, should there be insufficiency or tyranny in this organisation.[1] When that mighty tribunal thus undertook to manage the parochial affairs of every parish, and to superintend its kirk-session work, the Presbyterian party must have seen, if they did not sooner discover, that the predominant party in the two Houses were treating them with solemn mockery.

When they broke forth into vehement remonstrances the Houses treated them with decorum, and were to hear them at full length. After a Parliamentary fashion, with something of a sarcastic formality, certain queries were put to them touching the nature of the headship and the evidence or title-deeds of its existence. They were such queries as the Houses might put in the inquiry into the origin of a franchise, or the charter and constitution of a corporation. There were nine of these queries; but perhaps the three first in order may suffice to show their character:—

"1. Whether the parochial and congregational or presbyterial elderships are *jure divino*, and by the will and appointment of Jesus Christ; and whether any particular Church government be *jure divino*, and what that government is?

"2. Whether all the members of the said elderships, as members thereof, or which of them, are *jure divino*, and by the will and appointment of Jesus Christ?

"3. Whether the superior assemblies or elderships—viz., the classical, provincial, and national—whether all

[1] Parl. Hist., iii. 443-449.

or any of them, and which of them, are *jure divino*, and by the will and appointment of Jesus Christ?"

That there might be no opportunity for sweeping these questions and their peculiarities away in vague declamation, the Houses, besides requiring that to each answer the Scriptural evidence should be set forth, ordered that "every minister present at the debate of any of these questions do, upon every resolution that shall be presented to the House concerning the same, subscribe his name, either with the affirmative or negative, as he gives his vote; and that those who dissent from the major part shall set down their positive opinion, with the express text of Scripture on which they are grounded."[1]

If the Houses expected a literal compliance with these instructions, they were certainly rearing up a portentous report for their own perusal and consideration. But the order had naturally the effect rather of extinguishing than promoting the organising labours of the Assembly. It was with heavy hearts that those commissioners from the Scots Covenanters, who had seen so brilliant a dawn rise on the Westminster Assembly, beheld and felt these things. With all their determined fatalism, it must ere this time have been growing clear to them that they were not destined to establish a Presbyterian rule over the British dominions. In three years there had come a change. When all England was a great camp, and all its men becoming soldiers, the Scots army, much diminished, was no longer of vital moment in the struggle. The Long Parliament had the divines of the Independent party to conciliate, and, what was more serious, their soldiers, and Cromwell, their favourite general. An ephemeral presbytery existed in London, and there were some others; but when the Assembly died in 1648, its mighty projects of Church government died with it.

In other things, however, it left behind some fruits of its labours which have become both familiar and dear to the majority of the Scots people. The Directory of Worship was carried through with much harmony before

[1] Parl. Hist., iii. 463, 464.

the vital quarrels began. We have seen that the old Prayer-book of Scotland and Geneva—the Book of Common Order—became popular among the early dissenters from the Church of England. After the lapse of seventy years, however, it seems to have been long forgotten. The feeling of the Puritans and the Independents was running strong against all set forms of prayer. It was now six years since the Service-book had been sent to Scotland to supersede the Book of Common Order. The latest known edition of this book bears date in 1643, and it seems likely that the old affection for it had died off in the hot contest against Laud's Service-book, and the growing sympathy with the English Puritans. There seems to have been no attempt in the Assembly of Divines to keep it in existence; but it was not expressly condemned, and its use might have easily been accommodated to the injunctions of the Directory.[1]

[1] In the British Museum there is a small ritual with the title, 'The New Booke of Common Prayer, according to the Forme of the Kirke of Scotland, our Brethren in Faith and Covenant. Printed by John Joness, 1644.' It contains the greater part of the ordinary daily service in the Book of Common Order, and we may conjecture that it was offered to the Assembly as a compromise between the Scots Presbyterian Prayer-book and none. Whether it is to be found elsewhere or not, the following passage from this little book contains a subtle, but distinct, exposition of the spirit in which translations of the Scriptures were accepted among many of the various religious communities who renounced Episcopacy and the Church of England: "The highest degree and most annexed to the ministry and government of the Church is the exposition of God's word contained in the Old and New Testament. But because men cannot so well profit in that knowledge except they be first instructed in the tongues and human sciences (for now worketh God not commonly by miracles), it is necessary that seed be sowed for the time to come, to the intent that the Church be not left barren and waste to our posterity; and that schools also be erected and colleges maintained with just and sufficient stipends, wherein youth may be trained in the knowledge and fear of God, that in their ripe age they may prove worthy members of our Lord Jesus Christ, whether it be to rule in civil policy or to serve in the spiritual ministry, or else to live in godly reverence and subjection." On occasion when "the minister prayeth to God for the removing of some present trouble or otherwise, as the present occasion doth require. This done, the people sing a psalm altogether in a tune which all may understand, as it hath used to be done both

Though the Book of Common Order got strong support when the question lay between it and Laud's Service-book, it lost rather than gained friends after that contest passed over. The Assembly of Divines offered a strong bribe to the Scots clergy to abandon it, since the English Book of Common Prayer—offensive as the foundation of the Service-book—was to go with it. The enforcement of the Directory of Public Worship in England and Ireland was more than compensation for the loss, if it was a loss, of the Scots Book of Common Order. But to the Scots divines the mortifying result of all was that they lost this compensation. Brownism or Independency, with its toleration, swept all away; and the Directory was no more the absolute rule throughout the three kingdoms than the Book of Common Prayer was in England and the Book of Common Order in Scotland.[1]

The Directory sets forth the order of worship and administration of Church ordinances. It gives the tenor

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in England and Scotland before sermon; and whilst the said psalm is singing, the minister goeth up into the pulpit, as God shall move his heart, first begging assistance of God's Holy Spirit, and so proceedeth to the sermon."

[1] Samuel Rutherford, in his 'Free Disputation against pretended Liberty of Conscience,' p. 268, says: "It rejoiced the hearts of the godly in the three kingdoms, when the Houses passed an ordinance for the Directory of Public Worship to be used in all the three kingdoms, and laid aside the Book of Common Prayers and burdensome ceremonies upon a resolution professed to the world, according to the Covenant, to reform religion according to the Word of God and the example of the best Reformed Churches, which was accordingly approved and ratified in the Parliament of Scotland. If we then turn back again from that uniformity, what do we also but pull down and destroy what we have builded? Especially since uniformity, which we sware to endeavour in our Covenant, is cried down by Familists and Antinomians, and all external worship and profession of Christ before men as indifferent, and all religion intrenched into only things of the mind and heart, upon a dream that the written Word of God is not our rule obliging us, but an inward law in the mind, beyond all ordinances, must regulate us now under the Gospel." These, as the reader will easily see, are not the words of an ignorant man indulging hot fanaticism. Rutherford was a learned divine; and this short passage—one of course selected from many—may be taken as a good test of how the learned among the Scots Covenanters took the new rule that was to prevail in England.

of the prayers and other administrations spoken by the ministers; but it differs from a ritual in so far as it gives the tenor only, not the words to be used. It appears to have been adjusted chiefly by Henderson and his brethren in Scotland, since both in arrangement and phraseology it has a decidedly close resemblance to a pamphlet for the purpose of spreading through England information regarding the method of worship in the Church of Scotland.[1]

Among the rarities of collectors one may yet see a thin quarto called 'A Directory for the Public Worship of God throughout the three Kingdoms of England, Scotland, and Ireland.' But the practical end fell far short of this comprehensive promise. In the troubles of England the Directory was lost, and the Restoration brought back the old Prayer-book. Neither was the Directory one of the works of the Assembly destined ever to have much influence in Scotland, where it has ever since been nominally a rule. The tendency ever since Laud's Liturgy has been towards freedom from all directorial control. So slightly has the Directory been of late either obeyed or known, that when, on a recent occasion, a distinguished clergyman of the Church of Scotland was threatened with ecclesiastical punishment for indulging in certain innovations, it was discovered that the departures from the common practice which incurred this condemnation were restorations of the practice enjoined by the Directory.

Scotland owes to the Assembly of Divines the psalmody which was sanctioned by the Established Church, and generally adopted by the other Presbyterian communities. The Psalter in the Book of Common Order seems to have consisted of such translation of each psalm as the publisher chose.. Always the greater part, and sometimes the whole, were taken from the version of Sternhold and Hopkins. We have seen that the revision of the Psalm-book had occasionally come up in the General Assembly of Scotland. In the Westminster Assembly it arose in the form of find-

[1] This pamphlet has been already referred to. It is called 'The Government and Order of the Church of Scotland.' Edinburgh, 1641.

ing a version of the Psalms which might be certified for use by the Churches of England, Scotland, and Ireland. The version of Sternhold and Hopkins was to be superseded; it was perhaps a latent objection that it occupied a place in the Book of Common Prayer. The version attached to Laud's Scots Service-book would have been drawn from a still more polluted fountain.[1]

Two other Scots versions claimed notice. One was by Sir William Mure of Rowallan.[2] The other was by the notorious Zachary Boyd. Zachary's writings have often been cited as utterances of powerful buffoonery made when the unconscious author dreamed that he was solemn and impressive. It was common to that age, especially among the clergy, to become familiar and jocular with solemn things. Zachary went a step beyond his brethren in this propensity. Hence all the good things of the kind have been attributed to him, and have sometimes been exaggerated to make them fit on to his reputation. His psalter was passed by, somewhat to his mortification.[3]

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[1] This Psalter is called on the title-page 'The Psalms of King David translated by King James.' It is generally believed that the version thus attributed to King James was chiefly the work of William Alexander, Earl of Stirling, frequently mentioned in this history, although the king himself seems to have made some contribution to it, and to have meddled with the whole in his usual fussy way (see Baillie's Letters, iii. 529, and Poetical Works of Sir William Alexander, i. xvi). King Charles seems to have been desirous to see his father's version adopted in England as well as Scotland. At least two editions of the work were published with the royal sanction in these terms: "Charles R.—Having caused this translation of the Psalms, whereof our late dear father was author, to be perused, and it being found to be exactly and truly done, we do hereby authorise the same to be imprinted according to the patent granted thereupon, and do allow them to be sung in all churches of our dominions, recommending them to all our good subjects for that effect."

[2] Sir William Mure's version does not appear to have ever been printed. Baillie, writing from the Assembly, says: "I wish I had Rowallan's Psalter here; for I like it much better than any yet I have seen."—Letters, ii. 121. A specimen of this version will be found in 'The Historie and Descent of the House of Rowallan, by Sir William Mure,' note †, p. 133.

[3] "Our good friend Mr Zachary Boyd has put himself to a great deal of pains and charges to make a psalter; but I ever warned him

The Assembly selected, as a fundamental draft of a psalter, a translation recently made by Francis Rous, a distinguished member of the Long Parliament, and a lay member of the Assembly. After discussion and criticism at much length, the divines passed the psalter as amended by them, and sent it up for the approval of Parliament. There was a rival version by William Barton, befriended by some members of the House; and the Assembly received an alarming demand, "to certify to this House why these psalms may not be sung in church as well as other translations by such as are willing to use them." The divines in solemn conclave apprehended "that if liberty should be given to people to sing in churches every one that translation which they desire, by that means several translations might come to be used—yea, in one and the same congregation at the same time, which would be a great distraction and hindrance to edification." But Parliament finally ordered "that the Book of Psalms set forward by Mr Rous, and perused by the Assembly of Divines, be sung in all churches and chapels in the kingdom of England, dominion of Wales, and town of Berwick-upon-Tweed."[1]

This Psalter was authorised for Scotland by the General Assembly and the Commission of Estates in the beginning of the year 1650.[2] Every one acquainted with Scotland knows how fervently the genius of the people, musical and religious, centred in this book of vocal praise. The work of Rous was familiar and beloved in every Presbyterian church and home; but among names of any celebrity it would be difficult to find one less known among the people of Scotland than Francis Rous.[3]

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his hopes were groundless to get it received in our churches; yet the flatteries of his unadvised neighbours makes him insist in his fruitless design."—Baillie's Letters, iii. 3.

[1] Baillie's Letters, iii. 539.

[2] A very instructive account of the literature of Scots psalmody will be found in "Notices regarding the Metrical Versions of the Psalms received by the Church of Scotland," in the Appendix to Laing's edition of Baillie's Letters and Journals, iii. 525.

[3] There seem to have been contemporary reasons for keeping his name out of sight among the Scots Presbyterians. We find, before

More eminently than either in the Directory or the Psalm-book, have the achievements of the Westminster Assembly been renowned in connection with religious life in Scotland. The fruit of a long process of intellectual toil and eager debate was their announcement of the Presbyterian faith of the British Islands in three forms. These were—1. "The Confession of Faith;" 2. "The Larger Catechism;" 3. "The Shorter Catechism." These may be received as the final settlement and adjustment of those religious contests about the objects of which the reader has perhaps found more than enough in these pages. They are like the treaty of peace at the end of a war, going over with dry formality events which have had their day of exciting interest—a sort of document notably uninteresting to all but close investigators.

The three form a code of doctrine, as to which it is held, by something akin to what the English sages call "a fiction of law," that every Scots Presbyterian believes all its positions—by a bolder fiction he is held to understand them all. As to his means for legitimately accomplishing both ends, he knows, or has known, the Shorter Catechism, because he has had to commit it to memory at school. But a Scots layman well grounded in the Confession and the Larger Catechism is a rare being; and it has been sometimes suspected that there are points in both, of which some even of the clergy have not a familiar knowledge. It may be noticed that the Confession of Faith was the first announcement from authority of the books which were in Scotland to be counted the canonical Bible. Scotland thus adopted the ancient canon which had been received in England, without of course referring to such a coincidence as an authority or a pre-

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the complete adoption of this Psalter, Baillie, in some perplexity, saying: "I have furthered that work ever with my best wishes; but the scruple now arises of it in my mind—the first author of the translation, Mr Rous, my good friend, has complied with the Sectaries, and is a member of the Republic. How a psalter of his framing, albeit with much variation, shall be received by our Church, I do not well know; yet it is needful we should have one, and a better in haste we cannot have."—Letters, &c., iii. 97.

cedent. The Confession declares that the Scripture should be translated into the vulgar tongue, "that the Word of God dwelling plentifully in all, they may worship Him in an acceptable manner, and through patience and comfort of the Scripture may have hope." No one version, however, is held as authorised. On the other hand, it is declared that the Old Testament in Hebrew, and the New Testament in Greek, "being immediately inspired by God, and by His care and providence kept pure in all ages, are therefore authentical, so as in all controversies of religion the Church is finally to appeal unto them."

It must always be remembered that these acts and standards were not sent into Scotland for observance there by the authority of the Assembly of Divines. This institution was purely English. So far as Scotland was concerned, they acted merely as draftsmen and councillors. The title prefixed to the Confession of Faith, and followed in the other documents, announces the method of their transference to Scotland: "The Confession of Faith agreed upon by the Assembly of Divines at Westminster, examined and approved anno 1647 by the Church of Scotland, and ratified by Act of Parliament 1649."

While these deliberations, from which Scotland was to inherit the chief permanent result, drew out their tedious length in the Jerusalem Chamber at Westminster, the great events of the civil war were rapidly following each other. The separate events in which Scotland was concerned were few, and not pleasant to remember. As we have already seen, the Scots commissioners added considerable weight to the charges which brought Laud to the block Other men conspicuous in enmity to the course taken by the Scots Estates were marked out for vengeance. The first of these was Sir John Gordon of Haddo, the house which afterwards became the earldom of Aberdeen. He was one of the leaders of the Gordons in the north; and granting that hostility to the Estates was a crime—and they, having the supreme power for the time, had declared it so to be—it was easy to prove that he had done enough

to justify any amount of punishment.[1] He was tried by the Estates, and sentenced to death. On the 19th of July 1644 his head was struck off by "the Maiden" or guillotine.

He was followed by Sir Robert Spottiswood, Ogilvie of Inverquharity, who had been an active leader in the contest with Argyle, and five others of smaller note. The case of Sir Robert Spottiswood was peculiar. He had not taken arms, and was to be dealt with as a treasonable statesman. He was charged with several acts hostile to the Estates; and among these, as Secretary of State he had sealed and signed the commission "to James Graham, sometime Earl of Montrose, a declared and forfeited traitor and an excommunicated person," appointing him, as Lieutenant of the kingdom, to raise forces "against the king's majesty's good subjects, and against the forces raised and levied in arms by authority of the Estates of Parliament of this kingdom."[2] It was believed that his fate was somewhat in retaliation for his exertions in the condemnation of Balmerinoch in 1633. He was beheaded on the 16th of January 1646.

The Scots army in England could only be called an auxiliary force subject to the tactic of the great army at the nominal disposal of the English Parliament. Still the Scots kept apart under their own officers, carefully avoiding any surrender of their separate nationality. They were posted before Newark, when, on the morning of the 5th of May 1645, the king appeared within their lines. The great battle of Naseby had been fought. Many other calamities had crowded round his cause—he was besieged in Oxford, and when the place was taken he was at the mercy of his enemies. He would have gone to London, but a safe-conduct was refused to him—an assurance that the war was a war of life or death to each side.

The king travelled in humble disguise with two attendants. It is said that when he came to Harrow-on-the-Hill he was yet uncertain where he should seek refuge,

[1] See his indictment, Acts of Parl., vi. 21.
[2] State Trials, iv. 769.

and "much perplexed what course to resolve upon—London or northward."[1] His dreary journey from Oxford to Newark, in Nottinghamshire, was eight days long. On his arrival he found Leven in command, and was received by the old man with as much ceremonial and dutiful submission as the condition of a camp enabled him to display. It was remarked that in these courtesies the general gave up his sword, and that the king did not give it back, as Leven expected. To prevent the king from personally interfering with the discipline of his army, he found it expedient to give a strong hint that he was virtually commander there, though in humble duty to his majesty.

There was a statement, for which there seems to be no foundation, that the king went to the Scots camp in terms of a treaty or arrangement. It seems, in fact, to have been, like many other acts of his, the result of a sudden idea, in the pursuit of which he deceived himself with the notion that he was pursuing a profound, or, as others held it to be, a perfidious policy.

The Parliament required the Scots, whom they counted as a mercenary army in their service, to surrender the king and the two men who had assisted him. The Scots declined to obey the requisition. They gave their august visitor a guard of honour, whose duty it was to protect his person and prevent him from escaping from the Scots camp as he had from Oxford. They moved northwards to Newcastle, which was virtually their own, in order that they might more effectually protect the king from his enemies and keep him to themselves. Perhaps no army ever held a deposit under the like conditions, and casuistry might have been let loose to defend or attack whatever course the Scots selected for his disposal.

During his abode with the Scots army in Newcastle he chose to devote his otherwise unoccupied time to a piece of work which seemed as capricious as his visit—a dispute with one of the Scots divines on the fundamental principles of Church government. He selected as his

[1] Clarendon, 633.

opponent Alexander Henderson. The controversy was unproductive, unless we are to believe, with a class of writers now nearly extinct, that it brought the divine to a premature end. Henderson no doubt died soon afterwards—on the 19th of August 1646. His death was attributed to remorse, whether at having ventured to contradict the Lord's anointed, or from his conscience telling him that the king spoke, like his father at the Hampton Court controversy, through special inspiration, and therefore that his own long-cherished Presbyterian opinions were false and perilous. It might be supposed that if contradicting and thwarting the poor King were among the natural causes of death, it must have caused extensive mortality in that age. Yet in this instance the assertion took so much hold that Henderson's partisans and the General Assembly itself were much troubled in refuting it.

Renowned as this controversy is in history, it may be doubted if there are many people now alive who have read it through. It has little to excite attention or interest. It belongs to that driest, most interminable, and least effective or conclusive of all theological contests—the dispute about the question whether the order of the primitive Church was Prelatic or Presbyterian. A small contribution to that dreary ocean of debate, it is unendowed with the virulence that confers a strong life on its surface here and there. It is not an earnest dispute. The king merely sought by an act of condescension to convert or disarm a powerful opponent. There is little in what he says to excite any feeling save a shade of compassion in seeing a haughty reserved spirit submitting to so humiliating a task. He professes to desire the counsel and information of learned men for his guidance, and he singles out Henderson as a learned man. There is a foregone conclusion, however, that it is for himself to decide. He is like the judge who sits to hear counsel learned in the law, yet reserves complete command over the final issue.

Had his opponent been either Knox or Andrew Melville, the contest would have had a different aspect.

Challenged by a king to a formal dialectic tournament, either of them would have rushed to the battle with—

> "The stern joy which warriors feel
> In foemen worthy of their steel."

But Henderson was of another kind. If it is true that he was, as some assert, though others deny, a worldly man at heart, he saw that royalty and prelacy were not to be the steps towards promotion. He is true throughout to his cause, and true without violence or arrogance. To his royal opponent he is respectful, but not servile. He uses moderately the opportunity of inflicting tediousness, which is so often the privilege of his class; and his contribution to the controversy is hardly twice the length of the king's. On the whole, he acquitted himself with moderation and good taste.

The chief point between them is, that on the king asking what can be said against the Church of England as the interpreter of the forms of the primitive hierarchy, he is met by the denial that there ever was a primitive hierarchy to be interpreted; and this position is defended by the usual references to fathers of the Church and the like. The divine right of kings having no place in Henderson's argument, he excites something approaching to a haughty rebuke by his method of referring to them as men fallible and responsible. Referring to King James's acknowledgments of the discipline of the Church of Scotland, he is told: "Concerning the king my father, of happy and famous memory both for his piety and learning, I must tell you that I had the happiness to know him much better than you; wherefore I desire you not to be too confident in the knowledge of his opinions, for I daresay, should his ghost now speak, he would tell you that a bloody reformation was never lawful, as not warranted by God's Word, and that *præces et lachrymæ sunt arma ecclesiæ*." And then coming closer to that claim of absolute power which it was the misfortune of his life to pursue: "For your defensive war,—as I do acknowledge it as a great sin for a king to oppress the Church, so I hold it absolutely unlawful for subjects, upon any pretence whatever.

to make war, though defensive, against their lawful sovereign; against which no less proofs will make me yield than God's Word. And let me tell you that upon such points as these, instances as well as comparisons are odious."[1]

The king remained with the Scots upwards of eight months. In writings contemporary and of later date there is a world of conjecture as to his designs or secret thoughts, with no distinct or satisfactory solution. One subtle suggestion, for instance, would afford a substantial reason for the Henderson controversy—was it that he might have an opportunity, at any time before its conclusion, to say that he was convinced, and to throw himself heartily into the cause of the Scots and their Presbyterian brethren in England? We know that this course was pressed on him, and that he did not take it. Among other distinct facts is, that his cause in England was gone, and acknowledged even by himself to be so. He went so far with the Scots as to abandon his ostensible quarrel with them, by the withdrawal of Montrose's commission as lieutenant-general. Montrose had to leave Scotland; but it was maintained that this was only keeping the word of promise in the lip, since there was still an armed Cavalier force in the north. The king, it was said, could have disbanded it, but it remained active and mischievous until David Leslie went with a superior force for its chastisement.[2] Another fact seems certain, that if the Scots took the king absolutely under their protection, and removed him to Scotland, they must expect a serious war with the predominant party in England. Their commissioners in London were told this. From the earnestness of their endeavours to gain over the king to their own Presbyterian cause, it is clear that had he fairly accepted that alternative, they would have been prepared for this formidable war.

There was another difficulty. As we have seen, their importance as a power in the English contest had gradually

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[1] The papers which passed at Newcastle betwixt his Sacred Majesty and Mr Alexander Henderson, 163, 180.

[2] Thurloe's State Papers, i. 89.

decreased. Now that the war had virtually come to an end, their presence in England as an armed force was an offensive intrusion. On the other hand, heavy arrears were due to them, and they would abide until these were paid. They were like a creditor in possession, and if their debt were not legitimately settled, they would continue to help themselves by forced contributions for their support. No doubt they also felt that in the possession of the king they held in pawn a pledge that might be made available for enforcing their claim. To any other effect he must have been a troublesome and unwelcome guest, since he exposed the Scots to the enmity of the English army, yet did not reward them by compliance with their demands.

After much haggling there was a satisfactory settlement of the arrears. When this had been adjusted, the Scots delivered the king into the hands of commissioners from the English Parliament. This was done on the 8th of January 1647, and then the Scots army with all due expedition returned home. Another way of telling the story would be, that the Scots, having adjusted the pecuniary business which detained them in England, returned home leaving the king behind them.

The world is familiar with the transaction as put in another shape different from either of these—the Scots sold their sovereign to his enemies for a sum of money, and gave it the name of arrears of pay. Had they invited the king to trust himself in their hands, they might have been chargeable with treachery; but there is no good evidence that anything was done to induce him to rely on them. On the face of the transaction there is no connection between the payment and the surrender; but the surrender was refused before the payment was made, and it is very unlikely that the Scots could have received their money if they had not surrendered the king. All this is pretty obvious and consistent with the conclusion already referred to, that they held the king in pawn for their claim. Then, apart from any question about trust, had the king really fled from enemies to find refuge with friends? The Scots army were older and steadier enemies than the

English. It was in the future, no doubt, that in England he was to be put to death; but the Scots had no more reason to expect this of the English than to be themselves suspected of such a design; and it was not by the party to whom he was intrusted or "sold" by the Scots that he was put to death, but by the enemies of that party. The Scots had made up their mind to return home when their arrears were paid. They could not keep the king except by taking him with them into Scotland, and such an act would have implied at once suspicion and hostility towards those who had been so long their allies. The Scots showed in what they afterwards attempted for him and for his son, that had he agreed to their terms, and consented to be a Presbyterian king over a Presbyterian people, they would have fought for him instead of "selling" him. But even this has been used to complete the picture of meanness and treachery. It was Judas over again—they sold their master, and then, overtaken by remorse, committed suicide at Preston and Worcester,—as if the passions which drive the individual man to crime, followed by remorse, had any analogy with the multiplied motives which influence communities in their political action.

This transaction has been overladen by a heap of controversy. This is unsupported by the apology that there are mysteries to be solved, as in the dispute about the guilt of Queen Mary and other like discussions. The facts are few and simple, but they are of the kind to stir political sympathies and antipathies, and hence to be dealt with as these may dictate. When he left the Scots, accompanied by the Parliamentary commissioners, he was still a king, though a king surrounded by perils, as he would have been had he been removed to Edinburgh. By one of these he was soon overtaken, when Joyce with his troops seized him on behalf of the army. All this is English history of the most momentous and stirring kind, but it touches Scotland also. At Newport, in the Isle of Wight, he did what, if he had done it at Newcastle, would have carried him to Edinburgh in regal triumph. He "engaged" to be the Covenanted monarch of a Presbyterian people. Given at Newcastle, this assurance would have

been an open, substantial proclamation of his royal policy, unless he might have said that it was extorted by armed force. Done in secret during furtive interviews with the commissioners who attended to look after the interests of Scotland at London, it was interpreted as an act of treachery to the English Parliament and army, with which he was in open treaty.

So necessary was it to keep the "Engagement" a mystery, that the paper on which it was recorded was absolutely hidden in a hole in the garden at Newport, where, encased in lead to keep it from damage, it was covered with earth. The commissioners feared its discovery if in their custody, and therefore returned with a verbal statement of the result of their mission. The Committee of Estates took up the Engagement, and commissioned an army to aid the king in return for his concessions. The party against the Engagement was, however, powerful—it included Argyle. It was understood that this Engagement would band the loyal Presbyterians of Scotland, the old Parliamentary party in England, and the Cavaliers, to strive in concert for the restoration of the sovereign authority to be wielded over three Covenanted kingdoms. But the Church would not accept of so questionable an alliance. They felt that it would be an intercommuning with prelatical Malignants, and not only declined to accept of the Engagement, but abjured it as a sin.

The Engagers undertook a mighty project, destined, according to their own expectations, to revolutionise the whole tenor of the events passing before their eyes. They were to raise an army and send it into England to retrieve the cause of royalty, and rescue King Charles. However essential deliberation might be for such a project, it could not be afforded. The king was as urgent as his solemn nature and the difficulty of communication through his prison walls in Carisbrook permitted him to be. The scattered royalists cried aloud to send an army—to send it at once before the golden opportunity was lost. It was not a sufficient force deliberately embodied and trained that the exigency demanded, but a force able to march

into England, and there become a centre to which the ardent royalists would hasten. It was thus to be an invasion not with a force sufficient for its own purposes, but to operate on the chances of aid expected by the sanguine partisans of a broken cause, and it encountered the fate common to such ventures. The elder Leslie was offered the command, but he declined it, and it was taken by the Duke of Hamilton. He had so far the reputation of a practical soldier that he had led the British contingent in the army of Gustavus at the battle of Leipzic, but whether he was there to give the sanction of his rank or to do the real work of a soldier is open to question. Lord Callender was Lieutenant-General of the army. Middleton had command of the horse, and Baillie of the foot.[1] These two were practical soldiers, but neither of them had earned a propitious reputation. The character of the army they had to lead may be best told in the words of the biographer and eulogist of its commander: "The regiments were not full, many of them scarce exceeded half their number, and not the fifth man could handle pike or musket. The horse were the best mounted ever Scotland set out, yet most of the troopers were raw and undisciplined. They had no artillery—not so much as one field-piece—very little ammunition, and very few horse to carry it; for want of which the duke stayed often in the rear of the whole army till the countrymen brought in horses, and then conveyed it with his own guard of horse. Thus the precipitation of affairs in England forced them on a march before they were in any posture for it; but now they were engaged, and they must go forward."[2]

The small town of Annan, in Dumfriesshire, was fixed as the gathering-point of the army, and hence it marched southward by Carlisle and Penrith. At Annan they were joined by Turner, a soldier experienced as a subordinate commander in various points of warfare. He helped the commissariat—a department neglected like the others—with a supply of meat. "Ill-equipped and ill-ordered" as he pronounced that host to be, the spirit of the soldier

[1] Turner's Memoirs, 52.

[2] Burnet's Memoirs, 355.

carried him along with it as colonel of a regiment, officiating also as adjutant-general, "or rather, indeed, doing the duty of major-general of the infantry, since there was none named for it."[1]

If what he says be true, it affords us an instructive glimpse of uncertain and divided councils. "At Hornby, a day's march beyond Kendal, it was advised whether we should march to Lancashire, Cheshire, and the western counties, or if we should go into Yorkshire, and so put ourselves in the straight road to London, with a resolution to fight all would oppose us. Calander was indifferent, Middleton was for Yorkshire, Baillie for Lancashire. When my opinion was asked, I was for Yorkshire, and for this reason only, that I understood Lancashire was a close country, full of ditches and hedges, which was a great advantage the English would have over our raw and undisciplined musketeers; the Parliament's army, consisting of experienced and well-trained soldiers, and excellent firemen; on the other hand, Yorkshire being a more open country and full of heaths, where we both might make use of our horse and come sooner to push of pike."[2] Whether this discriminating comparison occurred to Turner before or after the event, it points to the immediate reasons that made the march to Preston fatal.

The duke thought the cause more likely to find friends in the west than in the east. But whatever friends he had a right to expect, we know that there were many enemies in Lancashire. Some sixty years later "proud Preston" was known as a stronghold of Jacobitism. There were many royalists among the men of rank in the county that gave a signal martyr to the cause in the gallant Derby. But fundamentally the people, though professedly loyal, were for the Parliament and the Covenant. The "officers and soldiers of the county palatine of Lancaster," had an "engagement" of their own, and uttered their views about king, Parliament, and Covenant, with a mixed logic that might vie with the contemporary utterances of the Scots Covenanters. They com-

[1] Ibid., 81. [2] Ibid., 62.

plained that they had been called rebels and enemies to monarchy. "We therefore," they say, "thought it requisite to declare and express to the deputy-lieutenants, and committee of this county, that we own the Solemn League and Covenant of the three kingdoms, in every branch of it, and will not, by any combination, persuasion, or terror, be drawn from it. And more particularly in reference to the said aspersions, we do further express that we stand for the fundamental government of the kingdom by king, Lords, and Commons, according to the laws of the land, and the declarations of this present Parliament before our first engagement; that we love, desire, and should much rejoice in the regal and regular government of his majesty that now is. As for Papists, Popish persons, malignant abettors of former innovations, usurpations, or oppressions, or any other disaffected persons which may or shall be in arms to disturb religion, righteousness, or peace, we, from the bottom of our hearts, do detest them, and with our lives and fortunes will endeavour to oppose them. And we, in like manner, do declare against toleration of heresy, schism, profaneness, and whatsoever is contrary to sound doctrine and the power of godliness so plainly covenanted and declared against by the ministers and others of this and other counties."[1]

Though thus professing opinions that sound in charming harmony with like utterances in Scotland, this document was a denunciation of the Scots army, which they hated and detested from the bottom of their hearts, and they showed their hatred in acts of hostility peculiarly harassing and destructive to a straggling ill-ordered host in a difficult country. Monro had joined Hamilton's army with a portion of the force he had taken to Ireland, and without entering into the close logic of the question, the Lancashire people found that this added an Irish element of hatred to whatever of that passion was directed peculiarly against the Scots. A body of the clergy thought fit to

[1] Remains Historical and Literary connected with the Palatine Counties of Lancaster and Chester, published by the Chetham Society, ii. 251.

take flight from the perils of the invasion, and sought safety in Lancaster. The Duke of Hamilton sent them an assuring letter, but they answered him with a pleading on the text, "We acknowledge ourselves but weak men, and therefore subject to mistakes, but are not satisfied of any in having our present abode in Lancaster, it being incredible to us how we should have safety and freedom with your army, knowing our old enemies of religion and the king's peace are with your excellency."[1]

Standing clear forth from the unknown about the great host of royalists who were to rally round the Scots army, there was a distinct understanding that Sir Marmaduke Langdale and Sir Philip Musgrave were to co-operate with 3000 horse and foot. But this auxiliary force seems to have called down the final ruin, for it brought the terrible Cromwell himself upon them. Lambert was the commander expected to face Hamilton's army, but Cromwell saw in the conjunction something that at whatever cost must be crushed at once, and before further auxiliary forces of royalists came on the field.

In the physical conditions surrounding them, there was an enemy that took a large share of Cromwell's work out of his hands. The invaders got into inextricable entanglements among enclosures, swamps, and ditches, and it happened that rains heavy beyond any within recent memory, had swollen the Ribble and the other streams, separating the branches of the force from each other, and involving all in difficulties and misery. Cromwell claimed in "the battle of Preston" a victory by 8000 men over 21,000. Perhaps he was technically correct. The Scots force does not seem to have exceeded 10,000, but we do not know what number of half-straggling allies may have joined them, besides the 3000 commanded by Langdale, and the force brought from Ireland by Monro. Undoubtedly, however, it was not an affair where 8000 men met 21,000 in open battle and conquered them. Langdale's contingent was in advance, passing through Preston and crossing the Ribble southwards, when Cromwell fell on it

[1] Ibid., 253.

and scattered it, while yet the Scots army were unaware of the terrible enemy that was upon them.

So far as the scattered army had a united object it was to march southward to Wigan. The point of difficulty and danger in this project was at the crossing of the Ribble, available by a bridge near Preston and by a passable ford. Multitudinous enclosures, ditches, the swollen river, abrupt diluvial banks cut by lanes, and the streets of Preston, were the points available to a harassing enemy, and here for a distance of a few miles along the river the invading army was destroyed by successive blows.

Of the confused struggle, the best account is to be found in Cromwell's report to Speaker Lenthal.[1] Of Cromwell

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[1] So little is known of the details of this affair on the losing side, that there may be some interest in the following narrative by Sir Marmaduke Langdale. It is the complaint of a commander ill supported by his colleague, but there is enough in it to show abundant mismanagement :—

"The same night certayne intelligence came that Lt.-Generall Cromwell with all his forces was within 3 miles of my quarters, which I immediately sent to the duke, and told it to my Lord Leviston to acquaint Lt.-Generall Middleton therewith, and drew my forces together in a field, and so marched towards Preston betimes in the morning, where I found the duke and Lord Callender with most part of the Scottish foot drawne up. Their resolution was to march to Wiggan, giving little credit to the intelligence that came the night before, but suffer their horse to continue in their quarters 10 and 12 miles off.

"Within halfe an hower of our meeting, and by that time I was drawen into the close neere Preston, the enemy appeared with a small body of horse ; the Scotts continue their resolution for Wiggan, for which end they drew their foote over the bridge. The enemy coming the same way that I had marched, fell upon my quarter, where we continued skirmishing six houres, in all which time the Scott sent me no relief: they had very few horse come up, so as those they sent me at last were but few, and were soone beaten ; but if they had sent me 1000 foote to have flanked the enemy, I doubt not the day had been ours. Yet I kept my post, with various successe, many times gathering round of the enemy ; and as the Scots acknowledg, they never saw any foote fight better than mine did.

"The duke being incredulous that it was the whole army, sent Sir Lewis Dives to me, to whom I answered that it was impossible any forces that were inconsiderable would adventure to presse upon so great an army as we had, therefore he might conclude it was all the power they could make, and with which they were resolved to put

it is reported on good ground that all his acts were emphatic, distinct, and incapable of being misunderstood, but that his words and sentences were cloudy and confused. In this instance there is almost an inversion of the antithesis, since his account is clear, but it is a clear account of a confusion, as if one were to describe distinctly a nightmare dream. He shows the fierce vehemence of the conquering soldier in grudging to the ele-

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all to the hazard, therefore desired that I might be seconded, and have more power and ammunition, I having spent nine barrels of powder.

"The Scots continue their march over the river, and did not secure a lane near the bridge, whereby the Parliament forces came on my flanks; neither did the forces that were left for my supply come to my relief, but continued in the reare of mine, nor did they ever face the enemy, but in bringing up the reare.

"When most part of the Scots were drawn over the bridge, the Parliament forces pressed hard upon me in the van and flanks, and so drive me into the towne, where the duke was in person, with some few horse; but all being lost, retreated over a foord to his foote. After my forces were beaten, the Parliament forces beat the Scots from the bridge presently, and so came over into all the lanes, that we could not joyne with the foote, but were forced to Charlow, where we found Lt.-General Middleton ready to advance towards Preston towards the foote, which he did; but not finding them there, returned to Wiggan, where the duke was with his foote (mine totally lost).

"There they tooke a resolution to go to my Lord Biron, for which end they would march that night to Warrington. In their march the Parliament forces fell so fast upon their rear, that they could not reach Warrington that night. And Lieutenant-Generall Middleton finding himself unable to withstand their forces, left the foote in Warrington to make their own conditions.

"So as we marched towards Malpas, sixe of the Scottish lords in this march left us, whereof my Lord Traquaire was one. Most part submitted to the Sheriff of Shropshire, who sent two gentlemen of that country to the duke to offer him the same quarter that the Earl of Traquaire had. From Malpas we marched to Drayton and so to Stone; in our march from thence to Uttoxeter, the Parliament forces fell upon the reare, and took Lieutenant-Generall Middleton.

"At Utoxeter the next morning going to attend the duke for his resolution, I found him extreame sick, not able to march. My Lord Callender seemed to refuse all wayes of treaty, but rather to march northward, where we had a considerable force, and the whole kingdome of Scotland at our backs. Upon this we marched over the river toward Ashburne. I had the van, and was marching; presently my Lord of Callender came to me, told me he would march with me,

ments the destruction they are dealing on his enemy, murmuring dire regrets that all had not fallen to his own hand, which would have made a more complete finishing. It is in having to report "about two thousand of the enemy slain, betwixt eight and nine thousand prisoners, besides what are lurking in private places, which the country daily bring in or destroy," that he complains, "If I had a thousand horse that could but trot thirty

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but that none of his forces would, and that he had much ado to escape them; that he was come himself alone, his horse pricked in the foote, and without a cloake. I perswaded his lordship that it was better to return to his forces, because I could not protect him; and seeing the Scots had left me, I was resolved to sever and shift every man for himselfe, but to capitulate I could not with a safe conscience."—Remains Historical and Literary, &c., Chetham Society, ii. 268-270.

The following local account of the army's march, even if it be in some measure exaggerated, shows us something much in contrast with Leslie's orderly invasions:—

"In divers places some whole families have not left them wherewith to subsist a day, but are glad to come hither for meer subsistence. They have taken forth of divers families all, the very racken crocks and pot-hooks; they have driven away all the beasts, sheep, and horses, in divers townships, all, without redemption, save some poor milche kine. They tell the people they must have their houses too, and we verily believe it must be so, because Duke Hamilton hath told them it should be so. Their usage of some women is extreamly abominable, and of men very barberous, wherein we apprehend nevertheless something of God's justice towards very many, who have abundantly desired and rejoyced at their advance hither: old extream Cavaliers, whom they have most oppressed in their acts of violence and plunder, to our great admiration.

"They raile without measure at our ministers, and threaten the destruction of so many as they can get. Many cavaliers have sent into Furness and Cartmel to Sir Thomas Tilsley for protections, but the Scots weigh not their protections a rush, and Tilsley himself tells the Cavaliers he can do them no good, but wishes them to use their best shifts in putting their goods out of the way. They say they'll not leave the country worth anything: they make no account of Lambert; they say he is run away. They are yet in quarters at Burton, Kirby, Whittington, &c., and the English at Encross and Furness. They have driven away above 600 cattle and 1500 sheep. They have given such earnest of their conditions that the country have wholly driven away their cattel of all sorts towards Yorkshire and the bottom of Lancashire; forty great droves at least are gone from us, and through this towne this day."—Ibid., 254, 255.

miles, I should not doubt but to give a very good account of them; but truly we are so harassed and haggled out in this business, that we are not able to do more than walk at an easy pace after them;" and again, "they are so tired and in such confusion, that if my horse could but trot after them, I could take them all—but we are so weary, we can scarce be able to do more than walk after them."[1] These letters bear the date of the 20th of August, when "the battle of Preston," begun on the 18th, may be counted as concluded.

As an adjustment of the new conditions created by this invasion of England, the treaty of Uttoxeter was signed on the 25th of August 1648. It conditioned "that James, Duke of Hamilton, his grace, with the rest of the officers and soldiers under his command, now at Uttoxeter, shall render themselves up prisoners of war, with their horses, arms, and all other provisions of war, bag and baggage." The officers and soldiers "shall have their lives and safety of their persons assured to them, and shall not be pillaged or stripped of their wearing clothes."[2]

Though the Engagers had not sent into England the thirty thousand men promised by them, the absence of a third of that number, and of the officers commanding them, weakened the Engagement party. We have seen that it was when Leslie's army went to England to join the Parliamentary forces that Montrose was able to strike a blow for the king. On this occasion a like opportunity was taken from the opposite side, with less immediate, but more permanent, success. The opponents of the Engagement held from the beginning that the Covenant was brought into it as a pretence. They saw Hamilton's army and that of the English Malignants or Cavaliers acting to a common end, though carefully avoiding all visible tokens of concert and co-operation. More thoroughly convinced, or professing to be so, every day, that Hamilton and his followers had deserted the Covenant and the national cause for the sake of helping the king to return unconditionally to his throne, the minority in the Estates

[1] Carlyle, i. 294-296.

[2] Burnet's Memoirs, 364.

used all their feudal and popular influence to gather a force. Argyle was to bring his whole following of western Highlanders. The clergy of the west were to a man bitterly against the Engagement, and they were all hard at work rousing the faithful.

It is at this period that we find for the first time in the south-west of Scotland a zeal for the Covenant heating by degrees, until it at last outflamed the zeal of the east, where the Covenant had its cradle. At Mauchline, in Ayrshire, a large body of men assembled under the auspices of Lord Eglinton, a zealous Covenanting potentate. They formed themselves into a military party, and marched in the direction of Edinburgh, gathering as they went. Their feat was called "the Whigamores' Raid;" and this is the first use appearing in history of a word which, in its abbreviated form of "Whig," was destined to political service too well known to need a word of explanation.[1] Leslie undertook to gather into a compact army the heterogeneous forces thus assembling from different quarters, and it seemed as if there were to be a new civil war in Scotland. The only considerable incident of war, however, was, that when Argyle with his Highlanders at-

[1] They are called Whigamores by Sir James Balfour, a contemporary. Burnet, who was then five years old, afterwards used the term in his 'Memoirs of the House of Hamilton,' and also in his 'History of his own Times,' where he offers this etymological explanation of it: "The south-west counties of Scotland have seldom corn enough to serve them throughout the year, and the northern parts producing more than they need, those in the west come in the summer, to buy at Leith the stores that come from the north; and from a word 'whiggam,' used in driving their horses, all that drove were called the 'whigamors,' and shorter the 'whiggs.' Now in that year, after the news came down of Duke Hamilton's defeat, the ministers animated their people to rise and march to Edinburgh; and they came up, marching at the head of their parishes, with an unheard-of fury, praying and preaching all the way as they came. The Marquis of Argyle and his party came and headed them, they being about six thousand. This was called the Whiggamors' inroad; and ever after that, those who opposed the cause came in contempt to be called 'Whiggs;' and from Scotland the word was brought into England, where it is now one of our unhappy terms of distinction."—Summary of Affairs.

tempted to take Stirling Castle, they were assailed and severely handled by Sir George Monro, who had brought over a division of Hamilton's army left near the Border when the body of the army had advanced on Preston.

Argyle and his party, however, found a way to make their predominance secure. They came to terms with the victorious Cromwell, who agreed to join them in Scotland. The fragments of Hamilton's beaten army, when assembled in Scotland, were insufficient to cope with the new power. The Committee of Estates retired, or, as some expressed it, fled. A group of leaders, with Argyle at their head, formed a government, and took to themselves the name of the "Committee of Estates."

The road to Scotland being opened by the destruction of Hamilton's army, Cromwell marched to Edinburgh. He laid before the Committee of Estates, according to his peculiar rhetoric, divers "considerations," like the preambles of Acts of Parliament—as, in reference to the army which he had broken: "Considering that divers of that army are retired into Scotland, and some of the heads of those Malignants were raising new forces in Scotland to carry on the same design, and that they will certainly be able to do the like upon all occasions of advantage;" therefore he demanded assurance, in name of the kingdom of Scotland, that no person accessory to the Engagement, which was followed by the invasion, "be employed in any public place or trust whatsoever." Of course there was no alternative but to concede these terms. In fact they were what the Government of Scotland vehemently desired; but that they were pressed by Cromwell made it all the more likely that they would be put in full force. On the other hand, he did his new allies the compliment of taking or renewing the Covenant along with them. He was feasted with great pomp in "the High Parliament House."[1] Argyle and he had much opportunity of conference; and the Cavaliers even suspected that the tragic drama to be presently enacted, with much more dark work, was then concerted between these subtle spirits.

[1] Carlyle's Cromwell, ii. 223 *et seq.*

The Estates assembled in the beginning of January 1649. The predominant party were able carefully to weed the new Parliament of the Engagement element. Their chief business was to give full effect to the bargain with Cromwell, by excluding from public office all who had been concerned in the Engagement. Two statutes, one of them known in history as the "Act of Classes," confirmed this disqualification, and at the same time reversed much of the business transacted by recent Parliaments and by the Committee of Estates.

Four "classes" of men are defined according to their conduct as disqualified from sitting in Parliament or holding any public office for a period measured by their iniquities. They include all Malignants or enemies of the Covenant, and all those who proved themselves its false friends by either furthering or assenting to the Engagement. The fourth class was of a general and comprehensive character, including all men "given to uncleanness, bribery, swearing, drunkenness, or deceiving, or are otherwise openly profane and grossly scandalous in their conversation, and who neglect the worship of God in their families"

Had these Acts been passed in the General Assembly instead of the Estates, they could not have done more to throw the country into the hands of the clergy. One of the grounds of criminality in those who went with the Engagement was, that the General Assembly had issued a declaration maintaining "the unlawfulness of the said Engagement," and "denouncing God's judgment against it," which denunciation "was seconded so speedily and immediately by God's own hand" in the defeat of the Scots army. Then the restoration of those belonging to "the classes," after their period of probation, was to be contingent on their giving satisfaction to the judicatories of the Kirk.[1]

[1] "Act repealing all Acts of Parliament or Committee made for the late unlawful Engagement, and ratifying the protestation and opposition against the same;" Acts, vi. 341. And "The Act of Classes for purging the judicatories and other places of public trust;" ibid., 352.

It is not wonderful that at this time we hear of statesmen sitting for lengthened periods on the stool of repentance, and parish ministers re-enacting the part of Hildebrand with the emperor.[1]

These Acts are long discursive papers, unlike the general substance of the Scots statute-book, and bearing more resemblance to the work of the ecclesiastical than of the civil power. Through all the wild work of the period, the utterances of the Legislature and the supreme tribunals generally preserve a grave decorum; but these

[1] "To remember how with abundance of tears the Lord Chancellor [Loudon] made his repentance in the East Church of Edinburgh, declaring so much of his former honest dealing with the people as he well knew every one understood; and this was done to please some of the leading ministers, who were now leading this penitent in triumph, and causing him sing *peccavi* to blear the eyes of the commons."—Balfour, iii. 395. So far the Lord Lyon. A stranger who had opportunities for noticing affairs in Scotland a few months later, tells how several of the more eminent of the Engagers "went from Court, and have by their several ways endeavoured to be reconciled to the Kirk and State, and have had their various success; for Duke Hamilton, notwithstanding any submission he could make, was not permitted to stay above fourteen days at his own house, but was forced to retreat into the Isle of Arran. The Earl of Lauderdale had the favour to stay at home, but not to come to Court. The Earl of Dunfermline was at first admitted to stay at home, then to give satisfaction for being in the late wicked and unlawful Engagement, as they call it, sitting in his own seat in Dunfermline, and not in sackcloth on the stool of repentance at Edinburgh, as did the Earl of Crawford Lyndsay at the same time—but the reason is apparent, the one being Argyle's creature, the other Hamilton's brother-in-law; and, lastly, to be permitted to come to Court and to wait gentleman of the bedchamber. What became of the Earl of Carnwath you shall hear shortly. The Earl of Brainford [?] returned to his friends; and after going to Edinburgh and desiring to be reconciled to the Kirk, he waited five days before he could deliver his petition. At length he gave it to one of those high priests, by whom it was carried in, and being read, after much scoffing at his titles, answer was returned him, that as he behaved himself they would in time take his desires into consideration."—Sir Edward Walker's Journal, 159. What happened to Carnwath was, that being driven from the presence of Charles II. when in Scotland by Mr Wood, a minister, one of the commissioners to the Hague, "and coming to him, said, 'God, I hope, will forgive me; will not you?' But Mr Wood turned from him in disdain, giving him never a word."—Ibid., 161

Acts are full of vehement raving. They are a testimony as well as a law, and a song of triumph over a beaten enemy infused through both; in this capacity they refer to the defeat of a Scots by an English army as something like a special mercy.[1]

This piece of exceptional legislation was probably prepared by Warriston, who, by his ascetic life, his pious conversation, and his untiring zeal in ecclesiastical work, proved himself to be one of the few laymen of that period to whom the Covenant was more than a mere political power. We know that he made a notable speech on the occasion, and the Acts themselves were probably modelled on what he said.[2]

This affair of the Engagement and the Act of Classes might afford some curious matter to any inquirer not under an obligation to measure the particularity of detail with the ultimate importance of events. Contemporary literature and correspondence would make this stage in the current of events seem as important as the promulgation of the Covenant or the march of Leslie's army into England. It seemed as if the great cause, which appeared to falter, had renewed its strength. The Lord was showing again the face which He had withdrawn; the enemy

[1] Among the iniquities of the Engagers are, that they "led out a forced multitude to slaughter or slavery with so great reproach and disgrace to the nation, and occasioned a powerful army to enter the bowels of this kingdom in pursuit of their enemies who had invaded England, to the great endangerment of this kingdom, and so laying the land open, and making it liable to the guilt and misery of an unjust and offensive war, drawing down God's judgments, and exposing us and our posterity to invasion from our neighbour kingdom, if God in His providence had not remedied the same." Farther, the protestations of the clergy were confirmed "by God's own hand," "in the defeat of that army and their overthrow in England with their associates in England."

[2] "This day the Marquis of Argyle had a very long speech, consisting of five heads, which he called the breaking of the Malignants' teeth, and he who came after him (Warriston, viz.) would break their jaws." "Warriston, the king's advocate, after the Marquis of Argyle had ended, read a speech two hours in length off his paper, being an explanation of Argyle's five heads of teeth, as he named them, with the answering of such objects he thought the prime Engagers would make in their own defence."—Balfour, iii. 377.

was conquered, and the work of bringing the three kingdoms to Covenanted reformation was to revive and go on to its triumphant end. There seems to have been among the zealots who had got possession of the Estates an utter unconsciousness that a power was arising destined to overwhelm them and their policy. While Warriston was proclaiming the triumph of his party and the reign of righteousness, the High Court of Justice was beginning its work in Westminster Hall. On the 30th of January 1649 King Charles I. was beheaded. With the "High Court of Justice" by which he was tried and condemned Scotland had no concern. On England lay the responsibility of the act, and with those who write the history of the England of that day lies the responsibility of passing historical judgment on it. It must suffice on the present occasion to note some points of difference between political conditions in England and in Scotland influencing the effect which the event had on public feeling in Scotland.

In Scotland there was no republican party. The opponents of the king only desired to bring him to reason. They would not have put him to death, nor would they approve of the act. In fact, at the last moment—on the day before the execution—the Scots Commissioners in London entered a protest of remonstrance, in name of their country, against the deed. They urge, "How hard a thing it is to proceed against their king, not only without but against their advice and consent; that his person was intrusted by that kingdom to the honourable Houses of Parliament; and how much it will reflect upon the honour of Scotland and the faith of England, to take away his life." They refer to an obligation that had become futile, but was ever cited as a matter of form—the union of the two countries by the law of the Covenant; and then in language calling out broader and more momentous sympathies they say, "Consider what an unsettled peace it is like to prove which shall have its foundation laid in the blood of the king,—what dangerous evils and grievous calamities it may bring upon us and our posterity; what reproach upon religion and the work

of reformation; and what infamy abroad in other nations.[1]"

Withal, however, that the prevailing party in Scotland disavowed the act, it can hardly have been to them that deed of awful sacrilege which it was in the eyes of the English Royalists. It seems on the whole, indeed, to have been considered an event rather fortunate in itself, that the regicides of England should have disposed of a king so obstinate and so tricky, making way for an unsophisticated youth who might be trained in the right path. It was perhaps the way in which God thought fit to further the cause of the Covenant and of righteousness, that the stumbling-block should be removed by the hands of these English sectaries and latitudinarians. They themselves were all for the monarchy—the old Scots monarchy which had existed for more than a thousand years. But they had no favour for this particular monarch: and without calling him a saint and martyr, or announcing that his fate had stricken many of his faithful people with death or insanity, they accepted of his son as the legitimate successor to the crown of Robert Bruce.

Distance from the scene of the tragedy concurred, with other incidental matters, to render the excitement naturally accompanying such an event less powerful in Scotland than in England. But there was another emphatic difference between the two countries. To the actors on the public stage in Scotland the long contest had been on purely public grounds, religious or political. It had not become, as in England, a personal struggle for life or death. In estimating the motives of those chiefly concerned in the event, this should ever be remembered. The long dangerous game of fast-and-loose that had been played with those who, from the opening of the Long Parliament, had been in one shape or other at enmity with the Court, convinced them that no treaty or other adjustment or promise would make their lives secure while the

[1] Dated at Covent Garden, 24th January 1649, and signed by Lothian, Christy, and Glendining.—Acts (Revised Record edition), vi. 647.

king lived. In Scotland, on the other hand, the party opposed to him—it might be more correct to say, the party opposed to his government—had all along a preponderance so overwhelming that the leaders of it had nothing personally to fear. There are many testimonies to this, but one is conclusive, that while the balance was vibrating between the two sides in England, the Scots lent their army to their friends of the Parliamentary party, and it was only while this army was absent on duty elsewhere that the Cavalier party were able to take the field.

On the 5th of February, immediately after the news of the execution had reached Edinburgh, Charles II. was solemnly proclaimed at the cross as "King of Great Britain, France, and Ireland."[1] As we shall presently see, however, he was not permitted to enter on duty until he became an assured Covenanter.

[1] Balfour, iii. 383.

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